

**FROM THE STANDPOINT OF PEOPLE WITH DISABILITIES:
AN INSTITUTIONAL ANALYSIS OF WORK IN THE NON-PROFIT SECTOR**

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Abstract

Employment can be a pathway to increased income, empowerment, quality of life and well-being. But for people with disabilities, job opportunities are limited, and employment supports often are inadequate. Despite legislative changes in recent years and a push toward employment as a solution to poverty among people with disabilities, there is a gap in knowledge, research, services and supports to meet the socioeconomic interests and needs of this diverse group of people. This study stems from a concern about how the current economic and political environment influences forms of employment available to people with disabilities; and to explain how and why the non-profit sector can be a potential site for inclusive employment. This institutional analysis critically investigated how three Ontario non-profit service providing organizations provided inclusive employment opportunities by examining institutional documents and policies, the perspectives of organization staff responsible for such practices and the everyday experiences of people with disabilities working in these organizations. This study draws from institutional ethnography as an emancipatory, critical theoretical method of investigation to analyze employment and disability within capitalist society. This relationship is examined from the standpoint of people with disabilities working in the non-profit service providing sector and extends upward to map the social relations between the individual and the organizations and institutions that influence their everyday experiences at work. Participating organizations were found to be places where employees could develop their capacities, represent the image of disability and social service worker, and contribute to their communities. Many employees expressed a strong commitment to social justice and were working directly on issues related to poverty, personal care, social inclusion, well-being and diversity. However, it was also evident when organizations reproduced individualizing and medical conceptualizations of disability that constrained the subjective experience of inclusion at work. Findings from this dissertation explicated how various reading practices of the Ontario Human Rights Code contributed to the abstraction or valued recognition of the subjectivities of employees embodied experiences; and highlighted how employment in the non-profit sector, from the standpoint of people with disabilities, very much implies the enrichment but also the sacrificing of one's individual being.

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Chapter One: Introduction

People with disabilities in Canada and around the world have fewer economic opportunities, higher rates of poverty, poorer health and lower education than people without disabilities (Crawford, 2013; Rivera Drew, 2015; Stapleton, 2013; World Health Organization & World Bank, 2011). The profound poverty of people with disabilities has been found to be both a cause and consequence of exclusion from social, economic, legal and political life (General Assembly Resolution 70/1, 2015; Tardi & Njelesani, 2015).

Employment can be a pathway to increased income and empowerment and improved quality of life and well-being. But for people with disabilities, job opportunities are limited, and employment supports often are inadequate (Devlin & Pothier, 2006; ILO, 2015; Oliver, 1990b; Thomas, 1999). Despite legislative changes in recent years and a push toward employment as a solution to poverty among people with disabilities, there is a gap in knowledge, research, services and supports to meet the socioeconomic interests and needs of this diverse group of people (General Assembly Resolution 70/1, 2015; ILO, 2011; UN General Assembly, 2007; World Health Organization & World Bank, 2011). In Canada, more can be done in research and public programming to advance access and inclusion for people with disabilities in ways that extend and deepen the continuum of labour force participation opportunities (Prince, 2014b). For example, few studies critically investigate the experiences of people with disabilities in particular sectors of the labour market with reference to the form of employment and specific work arrangements (Ellenkamp, Brouwers, Embregts, Joosen, & Weeghel, 2016; Prince, 2014b; Tompa, Scott-Marshall, Dolinschia, Trevithicka, & Bhattacharyya, 2007).

In particular, work in the non-profit sector is relatively absent from the growing body of literature on disability and employment in Canada (e.g., Crawford, 2012; Wilton, 2006). This

absence represents an opportunity to think about employment of people with disabilities beyond the competitive for-profit sector and the segregated sector of sheltered workshops to consider the possibilities in the non-profit sector (Prince, 2014b). Canadian non-profit organizations make up a large and diverse sector of the labour market. The sector includes advocacy and religious organizations, voluntary sports groups, parent and school-based associations, arts and culture organizations, social, health and human service provision agencies, etc. (Baines, Cunningham, Campey, & Shileds, 2014). The sector also accounts for up to 7% of GDP (Statistics Canada, 2009). Given its breadth, and relative lack of research on disability and employment in the non-profit sector, the present study focuses on the employment of people with disabilities in the sub-sector of non-profit human service providing organizations in Ontario. This sub-sector has been selected because of its social agenda and potential for quality and meaningful employment opportunities for persons with disabilities.

The non-profit service providing sector (NPSS) includes organizations that can be defined by their "orientation to serve a public or group good, through private non-profit-making organizational forms" (Baines et al., 2014, p. 76). Non-profit service providing organizations are often driven by a caring mission to do good work in the service of its clients and community base. According to Baines et al. (2014), the NPSS constitutes between a quarter to a third of the Ontario non-profit sector (MCI, 2013 cited in Baines et al., 2014). This element of the sector is key because of its size, provision of publicly supported services and programs, and because it is human resource (HR) intensive. However, the rise of neoliberalism has led to a growing level of instability within organizations across the sector (Evans, Richmond, & Shields, 2005). Neoliberalism refers primarily to the contemporary resurgence of 19th-century ideas associated with laissez-faire economic liberalism. Such ideas underlie social policies that promote

privatization, austerity, deregulation and reductions in government spending to increase the role of the private sector in the economy and society (Chernomas & Hudson, 2007; Harvey, 2005).

The imposition of such neoliberal governance structures on the NPSS has compromised organizations' autonomy and advocacy functions, while commercialising operations and imposing burdens that have strained organisational capacity (Evans et al., 2005). Given this backdrop, a recent report on employment in Ontario's non-profit sector found there is a need for further research on the sector's capacity, as an employer, to provide decent work that supports the health and well-being of its employees and the communities it serves. The report indicated there is opportunity now for the sector to act as a champion of working conditions and policies that ensure dignified and supportive work environments for employees as well as support the overall health and effectiveness of the non-profit sector.

Thus, the goals of the present study are to contribute to the literature that considers how the current social, economic and political environment influences the forms of employment available to people with disabilities; and to explain how and why the NPSS can be a potential site for inclusive employment. The objective is to conduct an institutional analysis that explores how non-profit human service providing organizations are providing inclusive employment opportunities by examining institutional documents and policies, the perspectives of organization staff responsible for such practices and the lived experiences of people with disabilities working in these organizations. The research is guided by the following questions:

1. What strategies can be utilized to provide inclusive workplaces and positive images around disability and diversity in the NPSS?
2. How do labour market policies in Ontario influence the potential of the NPSS to be an inclusive employer?

To respond to these questions, I will draw from institutional ethnography (IE) as an emancipatory, critical theoretical, method of investigation. Employment will be examined from the standpoint of people with disabilities working in the NPSS and extend upward to explicate the various social relations between the individual and the organizations and institutions that influence their everyday experiences at work. Specifically, this study offers a detailed and nuanced deconstruction of workplace accommodation, the context of work for persons with disabilities, and the struggles and successes of the individuals and organizations involved.

Following the work of Dorothy Smith (1987), the research strategy developed in this study does not belong or subject itself to interpretive procedures of any one particular theory. It is constrained only by the project of creating a way of seeing, and understanding, from the micro context of where people with disabilities actually work; into the powers, processes, and relations that organize and determine the everyday context of that work. This study focuses on how theory and ideology operate in practice. It is a critique of ideology about disability and employment at work in the everyday lives of employees with disabilities and organizations in the Ontario NPSS.

Based on the experiences of individuals and organizations in the NPSS, this study zeros in on accommodation processes as exemplars of key concepts in this thesis. These concepts are drawn from evolving models of disability and employment and the political-economic environment. It considers factors affecting the Ontario NPSS and the broader legislative context. The sensitizing concepts used to frame this study include aspects of the socio-political-economic system; social exclusion; organizational commitment to inclusion and the nature of employment available to people with disabilities.

Structure

For this study, literature is integrated from within and outside disability studies (e.g. political science, sociology, labour studies) to give background on the development and characteristics of disability and employment within our socio-political-economic system. This background points to areas of inquiry, sensitizing concepts and key institutions from which to study the data. This background begins at Chapter 2 with a description of several evolving models of disability and employment, with an emphasis on the human rights model as a governing framework. Chapter 3 describes the characteristics, challenges and opportunities in the non-profit sector, as well as the legislative context related to the employment of people with disabilities in Ontario. These background chapters include sensitizing concepts that are used as interpretive devices to provide a starting point for this study (van den Hoonaard, 1997). Specifically, the following sensitizing concepts are utilized to frame the present study including: manifestations of the socio-political-economic system and its impacts on the capacity of nonprofit agencies to be inclusive employers; social exclusion and inclusion and its specific relevance to the situation of people with disabilities; the nature of employment available to people with disabilities in terms of the degree of certainty of continuing work, income and benefits adequacy, work-role status, training and career advancement opportunities, and control over work processes.

Chapter 4 lays out the methodological framework of this study. This framework outlines how the present institutional analysis draws from IE to critically examine how three non-profit service providing organizations, as employers in Ontario, foster employment inclusion, access, and the rights of people with disabilities. Chapter four also includes a detailed description of the analysis process with considerations of the study's limitations, reliability and validity. At the

centre of the analysis are the experiences of employees with disabilities.

The notion of “standpoint” anchored this research in the relevancies of this particular group of people (DeVault & McCoy, 2006). The point was not that employees with disabilities shared a determinate standpoint, or that the perspectives of others should be ignored or discounted. “Rather, the idea is to consider how the perspectives from different locations illuminate the relevant social relations while keeping in mind the questions focused by the concerns of people living with disabilities” (DeVault & McCoy, 2006, p. 32). In this respect, the analysis focused on the subjective experiences of employees with disabilities. Thus, this chapter includes a thick description of the employees and organizations who participated in this research to describe the nature of the employment contexts under study.

Chapter 5 delves into the research findings. The concept of work is extended here by following what Dorothy Smith (1987) refers to as a generous concept of work. This concept of work includes and goes beyond paid employment, “to what people do that requires some effort, that they mean to do and that involves some acquired competence” (p. 165). This chapter takes a notion of work that directs the research to its anchorage in material conditions and the means with which individual workers can proceed in their everyday lives. This means going beyond the functional boundaries of work, as ideological and organizational practices define these, to explore those aspects of work organization that are essential to its operation. This chapter is not concerned so much to mark a distinction between what is work and what is not work, but to deploy a concept that will tune into the actualities of what people do on a day-to-day basis. Specifically, this chapter discusses findings related to the work of being disabled, emotion work and the benefits of employing people with disabilities in the NPSS.

Chapter 6 on accommodations at work is a central feature of this dissertation. This chapter discusses how the accommodation process worked at each organization. Workplace accommodations were discussed often by participants who focused their talk on how they worked to maintain their current jobs. Accommodation processes are described according to four stages of development, namely: recognizing the need for accommodation; gathering relevant information and assessing needs; writing a formal accommodation plan; and implementing, monitoring and reviewing accommodations.

This chapter leads to an explication of how the accommodation process at each organization was textually mediated. Chapter 7 maps the accommodation process at each organization and identifies the organizational and legislative texts that coordinated these sequences of action. This explication pulls the pieces of this dissertation together to consider how conceptualizations of disability and employment, the institutions of the NPSS, and the legislative context influence the experiences of employees with disabilities at three non-profit service providing organizations in Southern Ontario.

The dissertation concludes with a summary of key insights, implications and suggestions for future research and practice. Using a critical theoretical framework to analyze the employment of people with disabilities in the NPSS offers considerations of the role of the disability movement, the state and the non-profit sector in promoting inclusive employment strategies.

There are several aspects of the present research that set it apart from other studies. For instance, the chapters of this dissertation reflect a deviation from traditional research reports that tend to separate sections on background, methods, findings and discussion of the literature. Here, findings are discussed in relation to the literature from the outset. This structure draws from

previous IE research to present a developing narrative of the research process and findings (Deveau, 2011; Järkestig Berggren, Rowan, Bergbäck, & Blomberg, 2016; Jung, 2003; McCoy, 2006). Findings are described in relation to previous research and theorizing while also adding to this base of knowledge. This study tells a story about how the research was conducted, what was learned and why it matters to the developing field of critical disability studies at the intersection of disability and employment. Throughout this dissertation, participant's descriptions of their actual work and the experience of doing it are highlighted. Following DeVault and McCoy (2006), these experiences are examined in connection with the experiences of other organizational staff, texts, documents and previous research to describe the generalized relations, rules, policies and processes that transcend the local experience of any one participant.

This study also deviates from much of the mainstream literature on disability and employment which, historically and currently, focuses on the need to "cure", "modify", "rehabilitate" and train individuals with disabilities to better fit into the labour market (Buettgen, Gorman, Rioux, Das, & Vinayan, 2015). This puts the onus of responsibility on the individual rather than looking to societal norms, values and practices that could be changed to better accommodate and include people with disabilities. By looking out beyond the individual, the present study builds on literature in the field of critical disability studies to interrogate the individualization and medicalization of disability within the context of capitalist society.

Also, unlike many other studies on disability and employment, a critical theoretical framework is utilized in this study as a way of exploring the possibilities of employment as a potential solution to poverty and exclusion, as well as its limitations as a component of capitalism and neoliberalism. Critical theory is useful here because it accounts for power relations between social classes as a determinant of policies and practices that shape employment

conditions and modify the impact of socioeconomic factors on workers' health and well-being (e.g., Foucault, 1995; Gramsci, 1971; Marx & Engels, 1961). Other key tenets of critical theory that are applied here involve unleashing the potentialities of all human beings, linking theory and practice, and engaging in immanent critique (e.g., Adorno, 1983; Freire, 1996; Habermas, 1975; Marcuse, 1966).

The people with disabilities working in the organizations studied here were the source of much important knowledge. Some people were supportive of the study and others were reticent about being involved. This may have been due, in part, to the fact that people with disabilities have long been the objects of research often without the opportunity to influence the research agenda (Barnes, 2000; Morris, 1993; Oliver, 1990b). Without the real participation of people with disabilities, research results often misrepresent people's concerns creating mistrust and skepticism as to whether any benefits will be gained from their participation. With this concern in mind, the present research was designed in consultation with local and international disability activists and self-advocates to help frame the research questions and objectives. This research also builds on my MA thesis research which examined the needs and priorities of people with disabilities living in poverty in Southern Ontario (Buettgen, 2010; Buettgen et al., 2012). This earlier study was a participatory action research project that was designed, implemented and disseminated in collaboration with a committee of self-advocates. Findings from this study revealed a lack of quality employment opportunities for people with disabilities because of discriminatory employer attitudes, government policies and exclusion from participation in decision making about key disability issues. The present study expands on this research to look toward potential opportunities that acknowledge some of these challenges.

For the present study, formal support from organizational leaders (i.e. management)

provided the foundation for access to volunteer participant employees. The research process explicitly recognized that different participants understand the setting and their work from their own social location and from working in a particular department or position. The notion of standpoint taken up here, moves away from acceptance of a managerial perspective as correct or more adequate, even though it has status within an organization (D. E. Smith, 1987). While access to an organization depended on upper-level support, the success of this research depended just as heavily on the development of good relations between participants and myself as researcher.

Research Relations: The Researcher's Standpoint

Drawing from IE, previous research suggests that ethnographic data depends on the social relationship of researcher with participants and as such, research reports should clearly identify the researcher's role and status within the group investigated (LeCompte & Goetz, 1982). Thus, on a personal note, I approach this research as a non-disabled ally of the disability movement. While I am excited about the scholarly potential of my work, I am also concerned about the value of my work for the community, including its people and organizations who are working toward some aspect of social justice. I am concerned about how my work will be perceived as beneficial to the community and the organizations I have worked with to conduct my research. I take seriously the real-world conditions in which these organizations exist and the challenges, problems and opportunities – routine or otherwise - with which their leaders and employees are confronted. I intend to benefit these organizations, their employees, and people with disabilities seeking or maintaining employment, even if in a small way, to help make sense of their situation. Part of my job was to build trust between myself, as a researcher, and the organizational representatives who agreed to support this study. This process involved efforts to

have a meeting of minds on the importance of the research goals.

In addition, the present study is also informed by my years of experience as a research and evaluation consultant working with various non-profit organizations in Ontario and across Canada. This experience has taught me that many well-intentioned organizations are hindered by our political economic system. I have learned that many non-profit organizations are involved in good work that contributes to and supports the development of their communities. However, I have also learned that there are opportunities for growth and greater social impact. Research and evaluation can inform organizations' strategic decision making, critical thinking and positive social outcomes. Research can also point to missed opportunities or gaps in the effective operations of organizations that limits their ability to meet the needs and interests of the communities they serve and support.

Beyond these professional goals and experiences, my interests in this subject stem from my personal experience. I grew up in a low-income family, on and off the Ontario welfare system in the 1990s. Seeing my parents struggle with employment, debt and basic needs to provide for their children made me want to help them, yet obviously I was too young and without the necessary skills. At an early age, I became frustrated with my parents' struggles to gain meaningful employment and learned that workers in the labour market were often treated unfairly. Before entering graduate school, I worked in a supported employment program assisting people with intellectual disabilities to gain and maintain employment. Again, I became frustrated by the challenges of the labour market and the compounding effects of discrimination and prejudice toward people with disabilities. I eventually channeled this frustration into my studies with a long-term goal of obtaining a PhD that would give me the credibility and skills needed to help others with similar experiences of poverty and employment.

Thus, the present study is a culmination of my professional and personal experiences that have led me to think about where we might find meaningful opportunities for political, economic and social participation in inclusive environments. This study recognized the challenges and barriers that confront people with disabilities as they work to participate in the life of their communities. However, the focus was on looking for examples of how some organizations are working to provide inclusive workplaces and positive images around disability in the NPSS.

Definitions and Language

For the present study, disability is defined in accordance with contemporary international standards found in the UN Convention on the Rights of Persons with Disabilities (CRPD). However, because it is a historically and culturally contingent and contested social category, disability can be surprisingly difficult to define. The CRPD states: "Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others." Definitions also vary by country. For example, some states have disability laws and policies that include people with psycho-social/mental health labels, while others do not. Anti-psychiatry, ex-patient, and Mad movements have been only recently included in disability movements. Women and trans-people struggled for a long time to get people with chronic illness recognized as part of the disability community. Disability justice activists have struggled to make space for disabilities that are disproportionately experienced by Black, Indigenous and people of colour, including conditions related to environmental toxicity, war, and experiences of violence, exploitation, and racism (Buettgen & Gorman, forthcoming).

The terms "disabled people" and "people with disabilities" are used interchangeably throughout this dissertation, with an understanding of the semantic issues involved in the use of

both terms. Some activists prefer ‘people first’ language, and therefore prefer the term ‘people with disabilities’. The CRPD uses “persons with disabilities”. Other activists argue that they are proud to be disabled, and that therefore they prefer the term ‘disabled people’.

Throughout this dissertation, female names and pronouns (i.e., “she”) are used when referring to participants in this study. Female pronouns have been used because this study draws from feminist methodologies. Moreover, participants were not asked to identify their gender during interviews. This means there is some risk of not addressing issues of gender that intersect with the space of the NPSS – a historically gendered space for women (Baines et al., 2014). Equally as important, this study did not collect demographics on participants, such as race, age, class, sexuality, and so on, unless it was revealed during interviews and relevant to the analysis in relation to the research questions and purpose.

As an institutional analysis, this study avoided tagging participants by gender, race, and class status because it “risks inviting an individualizing line of analysis, in which class and ethnicity are treated as inherent in individuals, rather than produced through coordinative social processes” (DeVault & McCoy, 2006, p. 41). Consequently, much personal information about all informants is suppressed to keep the focus on the institutional processes they were describing. Rather, participants are identified by their location in the institutional work process of which they spoke (i.e., employee, executive director, HR representative, union representative).

Staff and management have generously shared their experiences, thoughts, ideas, policies and procedures for this study to enhance knowledge at the intersection of disability and employment. Their requests for confidentiality and anonymity are addressed in the study and the dissertation. Any critiques of their work are not negative statements, but an attempt to define alternative ways of knowing and working with people with disabilities in the workplace.

Chapter Two: Key Concepts in Disability and Employment

This chapter highlights some of the ways that disability has been imagined and conceptualized in relation to employment and social policy. It gives a starting point from which to consider possibilities for inclusion and positive images around disability and diversity in the workplace. It also offers a basis for considerations of how labour market policies pursued by the Ontario provincial government influence the potential of the NPSS to be an inclusive employer.

In a capitalist economy, such as Canada, work is a defining quality of human worth. However, many people with disabilities are excluded from participation in the labour force. Thus, if a person is not involved in paid work, they often are dependent on charity and considered not worthy of the dignity and rights afforded to people who are included in this social process (e.g., Davis, 2002; Oliver, 1990b; Withers, 2012). Thus, work and employment issues are of central concern to the Canadian disability movement. The Canadian disability movement includes disability service agencies, overall interest associations, and wider socio-political coalitions with policy agendas that address various concerns and positions on public issues (Prince, 2009). Citizens With Disabilities – Ontario (a provincial non-profit organization of Ontarians with disabilities) has reported that employment issues have been the highest-ranked issue among their members over the past several years (Citizens With Disabilities Ontario, 2017). That being said, some critical disability studies scholars argue that governments have translated or co-opted messaging from the disability movement for inclusion in employment in order to push a neoliberal agenda.

To be clear, capitalism is understood as a socio-political-economic system that is prevalent in Canada and most parts of the world apart from some socialist and communist countries. Private or corporate ownership of capital goods characterizes capitalism. Investment,

prices, production and distribution of goods and services are decided by competition in the free market. Neoliberalism may be considered synonymous with capitalism but refers more to the emergence of thoughts and ideas in the economic world over the last 30 years or so. As such, neoliberalism comprises the latest developments in capitalism. According to Harvey (2005):

Neoliberalism is in the first instance a theory of political economic practices that propose that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets and free trade. (p. 2)

Neoliberalism supports privatization of state-owned enterprises, deregulation of markets, and promotion of the private sector's role in meeting societal needs. Chernomas and Hudson (2007) describe neoliberalism as an approach that is ahistorical; denies having a political agenda; and avoids analyses of institutions and power concepts. Thus, the present study teases out how neoliberalism influences social policy and the NPSS. The logical policy that flows from neoliberal ideology is that employment, welfare, education, human services and professional standards should all be governed by principles associated with a free market.

Jolly (2003) argues that apparently progressive social policies appear to be engaging with disabled people's desires and aspirations for employment while at the same time purposely "ignoring the complex social aspects of disablement and employment" (p.519). This occurs because policy makers are reluctant to tackle systemic environmental and social barriers. Jolly suggests that employment promoting policies for people with disabilities "use techniques and forms of knowledge to shape conduct through desires and aspirations for equality" (p.519).

Similarly, Grover and Piggott (2005) suggest that the problem with developments in social policy that promote employment of people with disabilities is that “they focus upon disabled people as individual competitors in labour markets...premised upon an assumption of personal deficits” (p. 708). Grover and Piggott also argue that the state's role is to ensure there is an adequate supply of potential labour to choose from by increasing “the closeness of economically inactive people to labour market activity and to increase the number of people actively seeking work” (p.715). Thus, there are a few authors who are beginning to engage in discussions of disability, work, and the broader political economy. This analysis is limited but provocative and offers a starting point for the present study.

Evolving Models of Disability and Employment

Over time, disability has been understood through paradigms of thought and action that are pervasive at certain times or sites in culture. According to Kuhn (1970), a paradigm is a comprehensive model of understanding that provides a field’s members with viewpoints and a map for how to look at the field’s problems and how to solve them. In learning a paradigm, the members of a field usually acquire theory, methods, and standards together in an inextricable mixture. “Therefore, when paradigms change, there are usually significant shifts in the criteria determining the legitimacy both of problems and of proposed solutions” (p. 109). Over time the field discovers new questions that its current model of understanding cannot answer. Out of the struggle to form a new model of understanding one or more viable candidates emerge such that there is a model revolution. This is called a revolution because the new model is a new paradigm. Once a new paradigm is settled on by a few influential supporters, paradigm change begins¹.

¹ According to Kuhn, scientific knowledge about the world is never complete. In Kuhn’s analysis of the development of science, he describes a recurring cycle that moves a field through stages of paradigm growth, change, resistance and transition.

To explicate this process for disability studies, the following section will briefly outline some of the relevant paradigms and theories of understanding disability in relation to employment. Several authors writing in the area of social policy (e.g., Palmer, 2011; Prince, 2009; D. Stone, 1984) agree that it is imperative to examine multiple understandings of a particular social phenomenon such as disability. This examination should include careful consideration of how constructs and measures systematically include and exclude certain understandings of disability to serve the political interests of some groups at the expense of others. This brief section draws from a more extensive body of literature within which debates occur. The models of thought described here are not mutually exclusive, and point to different problems, causes and solutions with consequent actions, policies and programs.

Individual models. Individual models of disability encompass a range of issues that are underpinned by what Oliver calls “the personal tragedy theory of disability” (Oliver, 1990b). These models include psychological and medical aspects of disability; the latter being what is now referred to as the medical model of disability. Individual models of disability locate the ‘problem’ of disability within the individual and perceive the causes of this problem as stemming from the functional or psychological limitations which are assumed to arise from disability.

The individual medical model is the primary paradigm through which disability is understood in mainstream society. The primacy of this model is due, in part, to the way in which issues of disability have been given attention in the academic fields of medicine and psychology (Oliver, 1990). The medical model calls for the use of diagnostic tools to identify pathology and develop interventions to cure or minimize it (P. Fisher & Goodley, 2007; Withers, 2012). The use of charity and rehabilitation approaches fall under this model. Criticisms of the model are based on the failure of medical and other professionals to involve people with disabilities in a

meaningful way except as passive objects of intervention, treatment and rehabilitation (Finkelstein, 1980; Oliver, 1990b). According to Oliver (1990), under this model most research and the development of knowledge on disability has been exclusive and non-participatory. Thus, the medical model has had oppressive consequences for people with disabilities because it focuses on an individual's limitation(s), deficiencies, deviance from the norm, and overall challenges to fit into society. Solutions are focused on ways in which to "fix" an individual to better fit into society, rather than how society can better accommodate difference.

The medical model extends to aspects of employment, explicated by authors such as Herrnstein and Murray (1996). Herrnstein and Murray's controversial biogenetic theory suggests that poverty and inequality is a result of the modern technological society which has given rise to a cognitive elite occupying the top echelons by virtue of superior intelligence. The theory is based on the premise that equal opportunity exists in the labour market, thereby diminishing the influence of race, gender and class on individual achievement and social mobility. According to Herrnstein and Murray, technological advancements have developed a labour market that demands workers with sophisticated cognitive skills such that the class divide is actually a cognitive divide where low cognitive ability is associated with limited economic mobility.

Prince (2009) argues that neoliberal ideology, as the current political economic frame in Canada, supports these individualistic perspectives on disability and employment. Prince argues that neoliberal ideology promotes the marginalization of people with disabilities as it favours self-sufficiency and independence which contrasts the prominent models of disability that conceptualize people with disabilities as dependent and needy individuals. Prince comments "the personal tragedy, charitable and medical oriented notions of citizenship converts Canadians with disabilities respectively into citizens with spoiled identities, as supplicants and as sick patients."

(Prince, 2009, p. 24). Moreover, these individualistic theories cannot explain large gaps between the rich and the poor, or why so many workers are paid less than living wages (Royce, 2009). Under these models, the cause and problem of disability and exclusion from employment is thought to be inherent to an individual. Solutions, policies and programs focus on ways to "fix" an individual to better fit into the labour market, rather than how the labour market can better accommodate difference.

Social model. Oliver's *Politics of Disablement: A Sociological Approach*, published in 1990, called for a "social theory of disability" to challenge the medical dominance of theories about disability. He argued that a social theory could not be produced until various disciplines began to take both the issue of disability and the experiences of disabled people seriously. Oliver argued that disablement is not a problem located in the individual, but an institutional problem shaped by economic, political, and ideological forces.

The social model developed in response to the medicalization and individualization of disability in the medical and charity models. Pioneered by British activists after its development by Oliver, this critical Marxist approach to disability issues has become internationally influential and changed the way people with disabilities see themselves and organize for social change. The social model implies that impairments would not necessarily lead to disability if society were to accommodate and include people with disabilities. In this way, the model conceptualizes disability as a social construction.

The social model separates 'disability' from 'impairment' such that disability is a consequence of the way society is organized, rather than a person's impairment or bodily difference. The model begins with a definition of impairment as "lacking all or part of a limb, organism or mechanism of the body" (Oliver, 1996, p. 22) which also includes psycho-social,

intellectual and sensory impairments. Disability is then created by a society that limits and restricts the full participation of impaired people. The social model changes the focus of the problem of disability away from the impaired individual and looks to societal norms, practices and structures to understand the barriers disabled people experience. In comparison to the medical model, this approach focuses on the social, attitudinal and physical barriers that restrict the life choices and participation of people with disabilities.

Thomas (1999) recognizes the social model of disability as often attributed to the Marxist or materialist perspectives of influential figures such as Oliver and suggests that the model's approach "represents a very powerful way of making sense of key aspects of many disabled [people's] life experiences" (p.283). She argues that despite some scholars' criticisms and avoidances², the social model has played an important historical role in liberating people with disabilities by offering an alternative conceptualization of the "problem" of disability.

Garland-Thomson (2011) recently built on these ideas to consider the utility of the concept of "misfit" at the intersection of feminism and disability studies which she suggests:

[R]eflects the shift in feminist theory from an emphasis on the discursive toward the material by centering its analytical focus on the co-constituting relationship between flesh and environment. The materiality that matters in this perspective involves the encounter between bodies in particular shapes and capabilities and the particular shape and structure of the world. (p.594)

² While the social model of disability has made strides in shifting the focus from the individual to society, there are critiques of its impairment/disability binary. These critiques highlight the evolving conceptualization of disability. This debate involves such scholars as Oliver (1990), Finkelstein (1980, 1996), Gleeson (1999), Thomas (1999), Barnes and Mercer (Barnes & Mercer, 2010) as supporters of the model, versus for example Morris (1993),

Garland-Thomson further argues that although “misfitting” can lead to segregation, exclusion from the rights of citizenship, and alienation from a majority community, “it can also foster intense awareness of social injustice and the formation of a community of misfits that can collaborate to achieve a more liberatory politics and praxis” (p.597). These comments echo the work of Marx, Freire, Fanon and Chomsky who argued for the revolutionary capacity of those outside the mainstream. These comments also reflect the potential benefits of employing people with disabilities in the NPSS found in this study whereby organizations and employees with disabilities present positive images around disability and diversity in the sector.

Human rights model. As the social model has developed over the past few decades, there has also been a rise in profile of disability rights at the provincial, national and international levels. Some key events have contributed to this rise in Canada such as the inclusion of disability in the *Ontario Human Rights Code* (the Code) and the *Canadian Charter of Rights and Freedoms*, as well as the adoption of the CRPD. The human rights perspective on disability moves away from viewing people as problems toward viewing them as holders of rights (Quinn & Degener, 2002).

Quinn and Degener (2002) explain that the human rights paradigm for people with disabilities is inspired by the values of dignity, autonomy and self-determination, equality and “the ethic of solidarity that requires society to sustain the freedom of the person with appropriate social supports” (p.1). According to Quinn and Degener, the human rights paradigm for people with disabilities considers “Each individual is deemed to be of inestimable value and nobody is insignificant. People are to be valued not just because they are economically or otherwise useful but because of their inherent self-worth” (p.14). This means that people with disabilities have a

Shildrick (2009) and Shakespeare (2006) who are less supportive. These less supportive scholars argue that the social model has denied the personal experience of impairment.

stake and claim on society regardless of considerations of economic or social utility.

This attention to rights is due, in part, to the establishment of the United Nations (UN) and the subsequent development of an extensive body of human rights doctrines embodied in international law - the justifications of which date back over the past several centuries. The following section provides a very brief overview of the evolving concept of human rights. This concept is important because some authors and organizations suggest that social work in the NPSS is linked to human rights values and principles (Healy, 2008; Ife, 2008; International Federation of Social Workers, 2014). Human rights also feature prominently in Ontario labour market policies. This section offers a basis for explicating how these policies influence the potential of organizations to be inclusive employers; and how rights are experienced from the standpoint of employees with disabilities in the present study.

A brief overview of human rights concepts. The disability rights paradigm reflects an eclectic theory of rights. Indeed many modern human rights theorists borrow from each other's insights so that it can be imprecise to characterize their theories into one philosophical camp or another (Shestack, 1998). To define human rights, Jerome Shestack (1998) writes:

To speak of human rights requires a conception of what rights one possesses by virtue of being human. That does not mean human rights in the self-evident sense that those who have them are human, but rather, the rights that human beings have simply because they are human beings and independent of their varying social circumstances and degrees of merit. (p.203)

A philosophic understanding of the nature of a "right" can help clarify conceptions of the degree of protection available, the nature of exceptions, rights prioritization and questions of relevance

that are considered in the present study. Shestack (1998) suggests that theology presents the basis for human rights theory stemming from a law higher than that of the state (i.e., a Supreme Being). While religion may be the starting point, over time, and particularly as feudalism declined, modern secular theories of natural law arose and were enunciated by philosophers such as Aquinas, Grotius and Pefendorf (Shestack, 1998). These philosophers envisioned natural law by asserting that certain rights are inherent by virtue of human nature based on human beings' social impulse to live in peace and harmony according to what was considered moral or ethical. Natural law could be understood through reason to deduce moral behaviour and make decisions according to what was right and wrong.

Theories of natural law led to theories of natural rights, most recognized in the work of John Locke during the Enlightenment (Locke, 1966). Locke imagined human beings in a state of nature whereby men and women were equal, free and autonomous individuals who entered into a mutually agreed upon social contract to form a community and body politic. Government was obliged to protect individuals' natural rights of life, liberty and property. Locke's theory is considered the foundation of "liberal" political philosophy, related to the philosophy of individual rights and limited government (Macpherson, 2011). This philosophy underpins neoliberalism and has influenced many Western political systems today, including Canada.

Contemporary criticism of human rights as conceptually linked to individualism hearkens back to Marx's discussion of rights in his essay *On the Jewish Question* (1978), first published in 1844. From Marx's perspective, men and women are viewed not as autonomous individuals but as "species-beings" such that the notion of individual rights in capitalist societies is a bourgeois illusion. Marx (1978) writes:

None of the supposed rights of man...go beyond the egoistic man, man as he is, as a member of civil society; that is, an individual separated from the community, withdrawn into himself, wholly preoccupied with his private interest and acting in accordance with his private caprice. Man is far from being considered, in the rights of man, as a species-being; on the contrary, species-life itself-society-appears as a system which is external to the individual and as a limitation of his original independence. The only bond between men is natural necessity, need and private interest, the preservation of their property and their egoistic persons. (p. 43)

Marx argues that the actualization of one's potential to use their abilities to the fullest and to satisfy one's needs is contingent on the return of people as social beings in a communist society devoid of class conflict. Wendy Brown (1995) reflects on Marx's arguments to suggest that rights operate to both emancipate and dominate, as well as protect and regulate. Brown notes that there are claims for the current relevance of Marx's critique of rights such that, "[P]ost-Marxist theory permits us to understand how rights pervasively configure a political culture (rather than merely occupy a space within it) and discursively produce the political subject (rather than serving as the instrument of such a subject)" (W. Brown, 1995, p. 114). This idea will be explored in the present study to reveal how rights operate and are experienced from the standpoint of employees with disabilities in the NPSS. Drawing on her balanced considerations of the modern relevance of Marx, Brown asks "What if the value of rights discourse for a radical democratic project today...lies not in their concreteness...but in their idealism, in their ideal configuration of an egalitarian social, an ideal contradicted by substantive social inequalities" (p.130). This question raises considerations about the various ways in which the contemporary

human rights paradigm can be utilized to promote equality and inclusion, particularly within the NPSS.

From a discursive approach, rights claims have become the prototypical language of much advocacy work (Keck & Sikkink, 1999). The language of rights claims can help actors to seek allies to bring pressure on governments and other powerful stakeholders from the outside. Within the non-profit sector, Healy (2008) found that “social work was extensively involved in human rights in its formative years and can claim important areas of leadership especially before the UDHR [Universal Declaration of Human Rights]” (p. 744). Healy argues that the profession expresses human rights principles of respect, dignity, and self-determination. These values are also embedded in legislative codes of rights and codes of ethics for practitioners (Ife, 2008). Human rights are particularly important for social service workers when making decisions that concern the individual needs of service users.

Critics of Marxism argue that the creation of a “species-being” negates individuality (Shestack, 1998). For example, Ignatieff (2000) disagrees with Marx’s argument that rights talk reduces us to abstract, equal individuals with biological sameness. He notes that he prefers “the evils of capitalist individualism to the evils of collectivism” (p.23) citing the human rights abuses committed by communist states. Instead, he argues that individual rights create and sustain culture and community based on mutual reciprocity because defending one’s rights means being committed to defending the rights of others. However, from a legal perspective on rights, Ignatieff (2000) warns:

Codes of rights cannot be expected to define what the good life is, what love and faithfulness and honour are. Codes of rights are about defining the minimum conditions

for any life at all... [Thus], we need to make sure that rights talk doesn't end up crowding out all the other ways we express our deepest and most enduring needs. (p. 22)

Ignatieff also suggests that an emphasis on rights for minority groups means that Canadian identities have become fragmented (into disabled and abled, French speakers and English speakers, indigenous and non-indigenous, etc.) He suggests that the essential challenge of rights is to enhance equality while safeguarding difference.

Going beyond a legal approach to rights, Engel and Munger argue for the necessity to consider "the many ways in which rights can become active in day-to-day life, even when individuals do not choose to assert them. Rights can transform the sense of self simply by increasing individuals' perceptions of their own worth" (Engel & Munger, 2003, p. 11). Critics of the rights-based approach to disability argue that some rights, including the right to work, are reserved only for claimants who fall within medically informed categories of disability.

Tyjewski (2006) argues that such a definition presumes the visibility and discreteness of disabled and non-disabled. The present study considers how such a definition also supports the potential need for the use of medical documentation in providing disability-related workplace accommodations. Like Ignatieff, Tyjewski highlights the pitfalls of narrow legal definitions particularly in relation to disability because, in fact, the category is elusive, diverse and varied.

With regard to disability Michael Ashely Stein (2007), explains that civil and political (i.e., negative) rights largely occupy the focus of human rights practitioners and advocates at the expense of economic, social and cultural (i.e., positive) rights. Civil and political rights are also called "negative" rights because they encompass prohibitions against state interference and the promotion of equal treatment among individuals. Conversely, economic, social and cultural

rights are referred to as “positive” rights because they require some sort of action. According to Stein, these rights are often understood as giving equal opportunity and traditionally the focus of non-profit agencies. Positive rights concentrate on standards of living, education, housing and employment. Positive rights are important for people with disabilities because they recognize that action may be needed to accommodate people from different social locations.

Regarding equality and individuality, Young (1990) argues that interpretations of Locke’s liberalism, “traditionally asserted the right of all rational autonomous agents to equal citizenship” (p. 54), was co-opted by early bourgeois liberalism to explicitly exclude from citizenship those who were considered to have questionable reason and not fully independent. Young argues, “Dependency should not be a reason to be deprived of choice and respect, and much of the oppression many marginals [including many people with disabilities] experience would be lessened if a less individualistic model of rights prevailed” (p. 55). Young goes on to suggest:

Today the exclusion of dependent persons from equal citizenship rights is only barely hidden beneath the surface. Because they depend on bureaucratic institutions for support or services, the old, the poor, and the mentally or physically disabled are subject to patronizing, punitive, demeaning, and arbitrary treatment by the policies and people associated with welfare bureaucracies. (p. 54)

Young’s argument suggests that people with disabilities can be subjected to negative and/or arbitrary treatment by the people and policies working in the NPSS. The present study explicates how bureaucratic institutional procedures (in the form of labour market policies) influence work

processes and the experiences of employees with disabilities in the NPSS.

According to Rawls (1971), there are two key principles of justice that provide a way of assigning rights and duties in the basic institutions of society. The First Principle denotes “each person is to have an equal right to the most extensive scheme of equal basis liberties compatible with a similar scheme of liberties for others” (Rawls, 1971, p. 53). The Second Principle (aka the Difference Principle) states that “social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone’s advantage, and (b) attached to positions and offices open to all” (Rawls, 1971, p. 53). Rawls holds that a condition of distributive justice is fair equality of opportunity. However, as several disability studies authors point out (e.g., Malhotra, 2006; Rioux, 2003), equality of opportunity is not enough to achieve substantive equality because society creates unequal conditions for the pursuit of opportunities thereby affecting an unequal outcome. This is apparent in the low employment and high rates of poverty among people with disabilities. Moreover, Malhotra and Rioux argue that an equal apportionment of economic benefits is not achieved merely by a negative restraint on government but require positive action and tinkering with distribution.

In further consideration of Rawls’ theory of justice, Malhotra (2006) suggests that:

[A]lthough Rawls’ Difference Principle importantly addresses the question of redistribution to the less advantaged members of society...Rawls’ framework is deeply flawed in its capacity to address the myriad issues faced by workers with disabilities because it fails to appreciate how structural barriers handicap people with disabilities.
(p.70)

Malhotra critiques Rawls' justice framework as a limited model in relation to workers with disabilities and critical theory. Malhotra provides similar arguments to Young and Fisk such that the "veil of ignorance ought to be pierced to allow contracting parties in the original position to have full knowledge of their own identities and of each other" (Malhotra, 2006, p. 83). This would include the existence of disability to allow people with disabilities to "derive a set of principles based on their actual circumstances while retaining sufficient generality in the economic sphere to permit a consensus of principles for a just society to be achieved" (Malhotra, 2006, p. 83). Malhotra indicates that Rawls' theory lacks consideration of how deficits in the provision of primary social goods (e.g. liberty, opportunity, income and other social bases of self-respect) and primary natural goods (e.g. physical health, intelligence and imagination) can contribute to the creation of physical and mental impairments. Malhotra argues for a commitment to the social model of disability as a prerequisite for policies and practices that ameliorate the economic marginalization of workers with disabilities in Canada because it draws attention to the structural environment.

Sen (2005) considers disability to argue that differences in opportunities and capabilities arise even when people have the same set of personal means³. This can occur for several reasons including physical or mental heterogeneities among persons; variations in other non-personal resources (such as social cohesion and the helpfulness of community); environmental diversity; and/or different relative positions vis-à-vis others.

Sen argues that the idea of capability helps with the elucidation of the concept of opportunity. For instance:

³ Sen defines the idea of 'capability' as "the opportunity to achieve valuable combinations of human functionings" (Sen, 2005, p. 153). In other words, capabilities include whatever a person is able to do or be.

seeing opportunity in terms of capability allows us to distinguish appropriately between (i) whether a person is actually able to do things she would value doing, and (ii) whether she possesses the means or instruments or permissions to pursue what she would like to do (her actual ability to do that pursuing may depend on many contingent circumstances). (Sen, 2005, p. 153)

Sen's conception of capability is useful in this study in relation to how employees with disabilities value the work that they do in the NPSS. It also considers how employees are supported with the means to do their jobs.

Canadian Courts have been progressive in developing an understanding of the complexities, intersectionalities and socio-political context of disability. However, some authors question if this progress has trickled down to positively impact the lives of people with disabilities in Canada (e.g., Boucher & Fiest, 2011; Naidoo & Pinto, 2011; Pinto, Naidoo, & Dinca-Panaitescu, 2012; Shannon, 2007). Other previous literature suggests that human rights instruments can be used to lend legitimacy to the practices and interests of powerful economic actors (Grover & Piggott, 2005; Russell, 2002). It appears that inequalities are exacerbated by the hegemony of neoliberal freedoms emphasizing the freedom of individual action, non-interference in the private sphere of economics and the right to property and trade. Several authors (e.g., Donnelly, 2007; Sarat & Kearns, 2001) indicate that the rise of rights talk has coincided with the rise of capitalism and economic globalization which should raise questions and considerations of the potential of human rights for creating transformative social change. As such, disability and rights talk can pay insufficient attention to structural barriers that rationalize capitalist business practices, the economic system and class power relationships.

Despite the various challenges and debates about the concepts of human rights, Engle-Merry (2006) suggests:

[Human rights are] still the only global vision of social justice currently available. With all its flaws, it is the best we have...Like the language of law itself, it serves those in power but is always in danger of escaping its bounds and working in a genuinely emancipatory way. (p. 231)

The present study builds on both the human rights model and cultural view of disability through an expressed recognition of the intersectionality of disability. This study aligns with disability studies scholars and activists who suggest that ableism, poverty, sexism, heterosexism/homophobia, transphobia, racism and ageism and white settler colonialism must be fought in tandem in order to target the powers that marginalize (e.g., Oliver, 1996; Rioux & Patton, 2014; Rioux, Pinto, & Parekh, 2015; Rioux & Prince, 2002; Thomas, 2006; Withers, 2012). From the basis of critical theory, this research leads to a view of capitalist values as problematic, rather than simply arguing that people with disabilities can be productive under the capitalist paradigm. As described in the human rights model, a just society would value people as people and not as independent producers and workers in the labour market. Everyone is interdependent in one way or another; there is no such thing as total independence (e.g., Barnes, 2000; Fleischer & Zames, 2011; Oliver, 1990b; Withers, 2012). We all rely on each other for support and resources to meet our needs. Conversely, capitalism and neoliberalism promote rampant individualism and inextricably links participation in the labour market with individual worth and value, subsequently devaluing the experiences of many people with disabilities.

As Royce (2009) articulates, “As workers, consumers, tenants, students, welfare

recipients, and community residents, we are all enmeshed in a web of cooperative activities, arrangements, and interdependencies whose continued existence depends on our ongoing participation and implicit consent” (p. 289). Thus, the scope, nature, and potentiality of employment for people with disabilities is as much a political question as a matter of economic policy (Prince, 2014a). The possibilities for active resistance represent an opportunity to address the structural conditions of employment. In this respect, disability studies scholars have advanced the position that capitalism and neoliberalism - particularly the commodification of labour - are crucial contributing factors in the lack of economic and social advancement of people with disabilities. The present study addresses a gap in the disability studies literature on employment from the standpoint of people with disabilities working in the non-profit sector with a view toward the social institutions that influence those experiences.

Chapter Three: Institutions in View

This chapter describes the non-profit sector and legislative context in which the present study was carried out. This context reflects aspects of the conceptual development of disability and employment as described above, particularly in relation to social exclusion and inclusion, neoliberalism, and its impacts on the capacity of nonprofit agencies to be inclusive employers. The concepts and institutions described here are interconnected and incorporated in the present study schema to understand how the current economic and political environment influences the experience of employment for people with disabilities in the Ontario NPSS.

Figure 1: The Research Study Schema

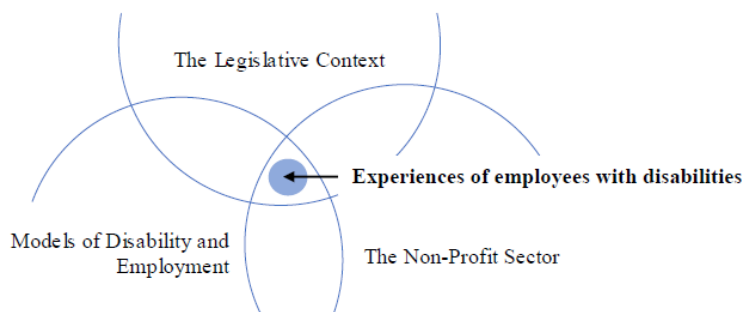
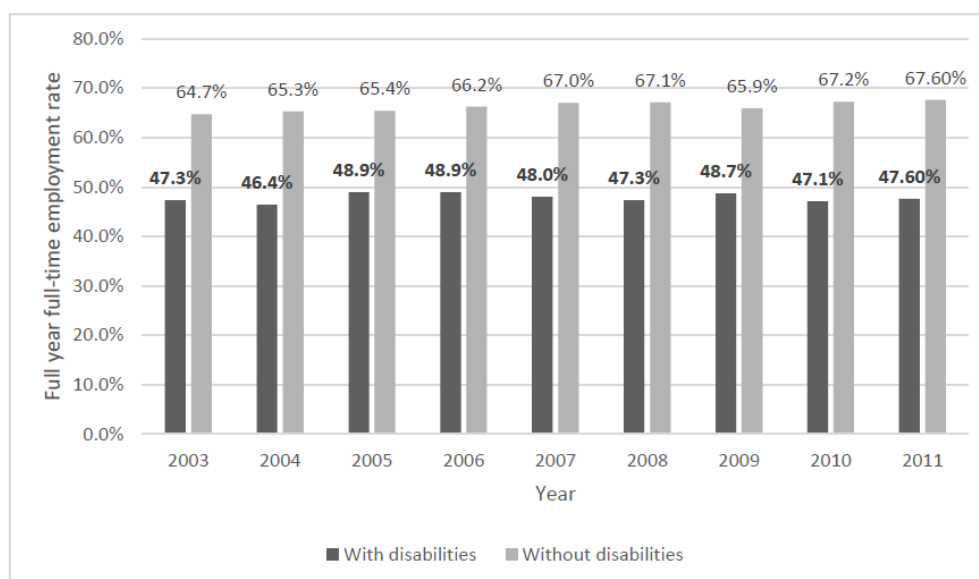


Figure 1 points to where the present study is situated. This study offers a detailed snapshot of the experiences of employees with disabilities in the NPSS at the intersection of various institutional processes.

The case for employing people with disabilities in the non-profit sector can be made on an economic argument – it would expand employment opportunities for underrepresented groups in the labour market and boost the incomes of Ontarians with disabilities. However, employment alone is not the solution, "policy actions on income benefits and personal supports, among other measures, are critical for reducing the disproportionate poverty of Canadians with disabilities" (Prince, 2014b, p. 18; see also, Torjman, 1988; Torjman, 2001; Torjman & Makhoul, 2016).

Despite legal mandates, people with disabilities experience significantly lower employment rates than people without disabilities (e.g., Statistics Canada, 1993, 2003, 2008) with some modest improvements in recent years (Ministry of Community and Social Services, 2012). Specifically, the following figure presents Statistics Canada data from the Survey of Labour and Income Dynamics for full-year, full-time employment (Crawford, 2016). Crawford notes how this data reveal a stable employment gap between people with and without disabilities over nearly a decade, despite modest improvements across some years.

Figure 2: Rates of full-year full-time employment for people with and without disabilities from 2003 – 2011, Canada (Crawford, 2016)



Many barriers and challenges have been identified in the literature to help explain the current underrepresentation of people with disabilities in Canadian workplaces. These barriers include employer discrimination and bias (Hernandez et al., 2008; Jakobsen, 2009), concerns about the productivity of workers with disabilities (Houtenville & Kalargyrou, 2012), poor matches between employee capacity and work requirements (Jakobsen, 2009), and concerns about legal liability (Kaye, Jans, & Jones, 2011). Employers also tend to have limited awareness of workplace supports and accommodations that can be put in place to address these issues

(Kaye et al., 2011; Unger & Kregel, 2003) or have misconceptions about the actual costs of accommodations (Houtenville & Kalargyrou, 2012). Thus, other actions to promote inclusion of people with disabilities in employment include the critical task of dispelling myths and misconceptions about the limitations and risks of hiring people with disabilities. Non-profit service providing organizations can address ableism and enable citizenship when they deconstruct the dominant image of the disabled person as someone with limited skills and abilities who is a drag on productivity and society.

The Non-Profit Sector

Non-profit organizations are often described as the "third sector" situated between the state and the market. Most Canadian non-profit organizations are small employers (less than 50 employees) and many have no paid employees at all. Of organizations with at least one paid employee, 58% have between one and four employees. Conversely, large employers (over 100 employees) make up only 3.1% of organizations in the sector, yet are responsible for 53% of the sector's employees (Statistics Canada, 2004). In Ontario, the NPSS consists of approximately 14,000 organizations, 150,000 full-time workers and 100,000 part-time workers (Statistics Canada, 2009; Van Ymerman & Lalande, 2015). The NPSS is key because of its size, its relationship to the state and civil society through the provision of publicly supported services and programs, especially to marginalized or vulnerable clients and communities, and because it is HR intensive.

Previous studies argue that the landscape facing non-profit organizations responding to social needs is unquestionably affected by neoliberal state policy (e.g., Baines, 2011; Evans et al., 2005; Evans & Shields, 2010). Before the rise of neoliberalism in the early 1980's, the state and non-profit sectors operated in a symbiotic and dynamic relationship. According to Evans,

Richmond and Shields (2005), this so-called “mixed social economy” featured a high degree of state and non-profit cooperation although the place of the non-profit sector was secondary to the state. Social services were delivered through a combination of state and privately administered initiatives such that non-profit organizations’ services were joined together with the state through public sector financial support. The advantage of the non-profit sector was thought to be its ability to be innovative, flexible, non-bureaucratic and close to the communities in which they operated. Salamon (1995) observed that non-profit organizations were in a better position than government to adjust care to the needs of clients rather than to the structure of community agencies. Salamon also found that the mixed social economy permitted a degree of competition among service providers which could facilitate better service provision.

However, Evans, Richmond and Shields present some cautionary notes about romanticizing the partnership that existed between the state and non-profit sectors prior to the rise of neoliberalism. “This relationship was uneven, often ad hoc, and public funds were not always spent wisely. But in comparison to the present set of state-[non-profit] relationships, the former period had advantages with regard to the provision of community-based non-profit services” (Evans, Richmond & Shields, 2005, p. 76). These advantages included primarily base or core state funding to non-profit organizations that allowed for latitude in organizational spending. Core funding is “based on the provision of financial support to cover core organizational and administrative costs” (Kelly & Caputo, 2011, p. 44) such as salaries for staff, office space and equipment, as well as expenses related to program delivery. Second, long term and stable funding enabled non-profit organizations to build supportive structures that were embedded in communities. Third, state and non-profit relationships tended to be regulated by bonds of trust as opposed to highly regulated contracts which provided non-profit organizations

with considerable autonomy in how they designed and delivered programs supported by public funds. Moreover, a system of flexible, adaptable, and informal organizational structures without bureaucratic policies or procedures tended to govern the evolving relationship between the state and non-profit sector. The neoliberal governance paradigm has upset this former set of relationships and operation of organizations within the non-profit sector.

Currently, most organizations receive project based funding whereby funds are received for discrete and often short-term projects (Kelly & Caputo, 2011). Kelly and Caputo (2011) argue that these funding mechanisms allow the state to exert and increase its control over the non-profit sector. The state has reduced the overall amount of funding available for social programs and imposed stringent funding requirements that require those applying for funding to establish partnerships with others as well as comply with auditing and evaluation procedures. These strategies are part of what is termed “new public management” (Baines, 2006b; Hood, 1991; Kelly & Caputo, 2011).

New public management has become an established public administration model over the last 30 years (Glor, 2001; Kelly & Caputo, 2011). New public management reform originated in Great Britain under the neoliberal leadership of Margaret Thatcher and spread to other commonwealth countries, including Canada, in the 1980s (Deveau, 2008).⁴ Thatcher introduced major changes to diminish the power of the civil service; introduce private sector management practices to promote economy and efficiency in government; and free individual citizens from the dominance of state control over the design and delivery of public services (Aucoin, 1995). Thatcher’s revolution in public management became an international phenomenon as Western

⁴ Thatcher was a key figure in the consolidation of neoliberalism as the new economic orthodoxy regulating public policy at the state level (Harvey, 2005).

democracies sought to “roll back the state, improve public services and promote national competitiveness” (Aucoin, 1995, p. 2).

The new public management in Canada began in 1984 with the coming to power of the Progressive Conservative government under Mulroney (Glor, 2001; Kelly & Caputo, 2011). According to Glor (2001), the Mulroney government took up new public management, “especially following adoption of free trade with the USA in 1989. Although the Mulroney government cut back federal programmes and transfers, the largest cuts occurred under the Liberal government elected in 1993” (p. 122). While there has been variation in application and timing, Ontario, Manitoba, Alberta and the federal government most fully took up new public management (Glor, 2001).

Peter Aucoin (1995) suggested that in the early 1980’s, the development of new public management reflected political perceptions that the public service had too much influence over management of the state. Aucoin suggested that politicians believed the state had become preoccupied with adherence to rules and procedures. According to Aucoin (1995), in almost all Western political systems, including Canada:

[C]hanges in public policy have encompassed the privatization, or at least the commercialization, of public enterprises; increased contracting out of public services; an expansion of user charges for public services; and, more generally, a wide variety of expenditure restraint initiatives, including those that seek to reduce the size of the public service as well as the public service payroll. (p. 3)

The common perception in the 1980's was that public management needed to be re-established as a responsibility of elected officials to govern as the delegates or agents of citizens. Thus, citizens were to be regarded as customers or clients of the public service. According to Aucoin (1995):

For those on the right, citizens as taxpayers deserve the same attention afforded paying customers or consumers by private business...For those on the left, citizens deserve the same attention clients receive from professionals who give primacy to the interests of their clients. (p. 6)

Thus, new public management was appealing to those on the political right and the left. The new public management was driven by the same forces experienced in private sector management, namely a need to pay attention to the bottom line between revenues and expenditures, alongside increasing demands for quality products and services. Concerns for economy and efficiency were given new priority. Other changes included the adoption of concepts such as excellence, downsizing, service standards, value for money, results, performance measurement, customer service, etc. (Glor, 2001). In this way, service users were now defined as customers. The Government of Canada also privatized several government services such airports, ports, public service training and several Crown corporations. Overall, Canadian governments have reduced the size of public services through privatization, staff reductions and downloading responsibility for services to the community.

Several authors argue that new public management in Canada, “is a key mechanism through which the state exerts its control over activity at the community level” (see also, Baines,

2006b; Kelly & Caputo, 2011, p. 112). New public management is an approach to managing projects by requiring non-profit organizations to develop quantitative measures of performance goals, benchmarks and ongoing evaluation (Baines, 2006a). It prioritizes short term outcomes with an emphasis on organizational efficiency. According to Baines (2006a), this approach has made it difficult for organizations to get support for programs that focus on long-term outcomes. It facilitates competition between workers and organizations who jockey for their share of the available pool of public funds (Baines, 2006a). Funding is linked to outcomes which are measured through requirements for program evaluation. "Evaluation has increasingly become a key component of state funding as it focuses on identifying tangible results and documenting that these results are due to program activities" (Kelly & Caputo, 2011, p. 43). It introduces demands on workers and organizations to show that they have produced results. Essentially, new public management uses capitalist principles that the private sector uses to increase its profit margins (Deveau, 2008). As Deveau (2008) suggests, given that the NPSS is not required to make a profit, there are presumably more appropriate management structures.

The neoliberal governance paradigm is concerned with the institutions and administrative functions of the state. This paradigm embodies the idea that there should be multiple actors, including civil society, in the provision of public services with minimal interference by the state (Kjaer, 2004). The benign language of "partnership" is often used to describe the relationship between the neoliberal state and non-profit sector which "hides a steeply hierarchical and centralised relationship of power embedded in a contractual arrangement between the state and those agencies increasingly responsible for the delivery of public goods and services" (Evans et al., 2005, p. 78). Despite its reduced support, the neoliberal state retains ultimate control of the overall direction of policy setting and coordination of publicly supported services. The present

study examines how some of these policies influence the potential of the NPSS to be an inclusive employer. It examines this from the standpoint of employees with disabilities in their everyday experiences at work and seeks out strategies that appear to resist these political influences.

Thus, it is important to note that funding for the Canadian NPSS is quite dependent on government revenue sources, with upwards of 80% or more of its funding coming from government contracts (Eakin, 2007). But, over the past few decades, government cutbacks and increased surveillance of non-profit organizations has transformed relationships with the state. As Evans, Richmond and Shields (2005) describe:

Market-based regulation has moved many non-profit service organizations away from their community-oriented focus and towards a "business model". In various forms, the state has introduced quasi-markets or at minimum required [non-profit organizations] to engage in more competitive practices, with negative consequences for non-profit mission, culture and labour-management practices. The result is a growing level of instability within the sector. (p. 74)

In observance of this transformation, several authors (e.g., Baines, 2011) have described the workings of precarity in the non-profit sector. This literature has found that precarity is more than an employment-based phenomenon, but also a force that negatively impacts organizational structures and the non-profit sector workforce itself. According to Vosko (2006), analyses of the Canadian labour market should consider the relationship between employment forms and dimensions of precarious employment. In this respect, Tompa et al. (2007) built on Rodgers (1989) framework of the key dimensions of work-related precarious experiences.

Table 1: Dimensions of employment quality (Adapted from Tompa et al., 2007)

Dimension	Description
Degree of certainty of continuing work	<ul style="list-style-type: none"> • Positions that have short time horizons or where the risk of losing the job is high can be characterized as insecure. • This may also encompass employability security within the labor market, and predictability in the amount of work from week-to-week or month-to-month. • Employability security relates to the threat of long-term unemployment or underemployment spells.
Control over work processes	<ul style="list-style-type: none"> • Extent to which workers have control or influence over the work they perform such as pace of work, assignment of tasks that are consistent with an individual's skill set, access to methods for accomplishing tasks, hours of work including scheduling, and the ability to negotiate appropriate wage increases.
Legal and institutional protection	<ul style="list-style-type: none"> • The extent to which workers are protected by law or collective organization in the workplace and, more broadly, in the sense of having access to unemployment benefits and social service
Income and benefits adequacy	<ul style="list-style-type: none"> • Sufficiency of labour market earnings and benefits for current and future lifestyle or financial needs. • Low income jobs can be conceptualized as precarious if they are associated with poverty and insecure social insertion • Non-standard work arrangements (particularly contractually-limited forms) may be susceptible to unpredictable fluctuations in number of hours worked, and hence, an unpredictability in income • Adequacy of benefits include social security such as unemployment insurance, workers' compensation, pension and health care plans, disability insurance, etc.
Work-role status	<ul style="list-style-type: none"> • Work-role status may be based on an individual's position in the occupational hierarchy, co-worker perceptions of an individual's standing in the organization • Status may be associated particularly with an individual's contractual relationship with an organization. For example, temporary workers may be perceived as having lower status by permanent workers and supervisors
Socio-cultural environment at work	<ul style="list-style-type: none"> • Quality and quantity of peer or collegial support at work such as workplace accommodations and job supports as well as informal social support. • Quality and quantity of support provided or available may rise or fall in relation to an individual's work-role status. • Lower status workers may be susceptible to social exclusion in the workplace
Risk of exposure to physical hazards	<ul style="list-style-type: none"> • Risk of exposure to physical, biological, chemical, radioactive, or other hazards that may undermine an individual's physiological health
Training and career advancement opportunities	<ul style="list-style-type: none"> • Availability of job training, learning opportunities, exposure to other job roles in the organization, employment skills development, opportunities for moving up the "job ladder"

These dimensions of employment quality are described in Table 1 and provide sensitizing concepts used to frame the analysis of the nature of employment available to people with disabilities at the three organizations included in this study.

Across the Ontario non-profit sector, Van Ymerman and Lalande (2015) found low levels of retirement and benefits coverage, high rates of part-time and contract work, underinvestment in training and development, and struggles in work/life balance for workers at all levels. This and other previous research suggests that the rise of neoliberal service provision has led to financial circumstances that can create uncertainty and drive underinvestment in capacity building and long-term strategies (Kelly & Caputo, 2011).

However, the impact of neoliberalism is neither total nor linear (Kelly & Caputo, 2011). Both positive and negative outcomes have been reported, with many organizations adapting in their own ways with creative resistance. As Kelly and Caputo suggest, “Some accept the changes that are imposed, while others vehemently oppose or resist neoliberal policies and practices” (p. 40). The present study highlights how participants make sense of their circumstances in the NPSS by adapting with acceptance or opposition to the political and economic changes around them.

For example, previous research suggests there might be a greater willingness to accommodate employees with disabilities in non-profit versus for-profit workplaces. Wilton and Schuer (2006) found evidence of this occurrence among participants in their study of the experiences of disabled workers in various industries in Southern Ontario. These authors suggest that the greater frequency of accommodation in non-profit workplaces is not surprising, given its organizational logic which can provide enabling work environments. While this evidence is encouraging, the authors suggest that further research could usefully examine the ongoing impact

of market discipline on the relatively accommodating climate of non-profit workplaces. This research offers some insight into this climate and begins with a brief overview of the legislative context underlying the process of workplace accommodations.

The Legislative Context

Federal and International Legislation. In Canada, one of the earliest pieces of legislation in this arena is the *Canada Human Rights Act* of 1978. This Act is governed by the Canadian Human Rights Commission. The purpose of the Act is to extend the laws in Canada to give effect, within the purview of matters coming within the legislative authority of Parliament, to the principle that all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have; and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or conviction of an offence for which a pardon has been granted or in respect of which a record suspension has been ordered. The Act was passed with the expressed goal of extending the law to ensure equal opportunity to individuals who may be victims of discriminatory practices based on this set of prohibited grounds. The Act applies throughout Canada, but only to federally regulated activities. Ontario and every other province and territory has its own anti-discrimination law that applies to activities that are not federally regulated.

In 1985, a critical cornerstone of disability law and policy in Canada was found in the *Charter of Rights and Freedoms*, specifically Section 15 - the equality guarantee. This section provides that every individual has the right to equal protection and benefit of the law without discrimination and explicitly includes mental or physical disability among its prohibited grounds.

At the same time as it protects equality, the *Charter* also allows for certain laws or programs aimed at improving the situation of disadvantaged individuals or groups. For example, programs to improve employment opportunities for people with mental or physical disabilities may be protected under subsection 15 (2). Section 15 (2) refers to affirmative action programs that promote substantive equality. “Substantive equality requires government and private actors to take the steps necessary to advance access by all citizens to benefits, supports, programs, goods and services in a way that is responsive to their particular needs” (Law Commission of Ontario, 2012, p. 13). In other words, substantive equality recognizes that policies and practices put in place to suit the majority may appear to be non-discriminatory but may not address the specific needs of certain groups of people. In effect, they may be indirectly discriminatory, creating systemic discrimination. Although Section 15 applies specifically to the federal and provincial governments, the interpretation of provisions under Section 15 by the Supreme Court of Canada has had a strong impact on the thinking of other courts and human rights tribunals (Moran, 2014).

While the creation of the *Charter* and Rights Act permitted employers to undertake voluntary affirmative action, very few did. As a result, the federal *Employment Equity Act* (EEA) was implemented in 1987, later amended in 1996. The EEA is governed by Employment and Social Development Canada, Treasury Board Secretariat, and the Canadian Human Rights Commission. The EEA places requirements on employers to engage in proactive employment practices to increase the representation of four designated groups: 1) women, 2) people with disabilities, 3) Aboriginal peoples, and 4) visible minorities. The EEA aims to achieve equality in the workplace by removing barriers to employment for the designated groups; correct the conditions of disadvantage in employment for the four designated groups; and give effect to the

principle that employment equity means more than treating people in the same way; it also requires special measures and the accommodation of differences.

The EEA does not function through complaints but assumes that members of designated groups will be present in the labour force in numbers proportionate to their availability in the population. However, when the EEA was passed, little was done to ensure social programming to enhance the employability of people with disabilities and the legislation failed to establish clear guidelines for employers without any enforcement mechanisms (Rioux & Patton, 2014). The EEA also applies only to the federal government and a limited number of federal contract organizations employing a large number of people. Based on the limited application and lack of enforcement, Rioux and Patton argue, "In the more than twenty-five years since the creation of employment equity in Canada, advancements in employment integration for persons with disabilities have been modest, at best." (Rioux & Patton, 2014, p. 134). Criticisms and public consultations led to amendments to the EEA in 1996, but continued reluctance to enforce, and reductions in federal social spending impeded future success.

While the EEA applies to employers in the federal jurisdiction and federal contractors, the Act is based on a Canadian model of legislated and mandatory employment equity. The model is usefully applied to employers in the broader public, private and non-profit sectors. Capitalism however, acts as a counterforce to these efforts. Robert (2003) points out that these opposing forces are seen most clearly in the area of workplace accommodations such that, "Capital, which of course admits no universal right to employment, admits no necessity to design and organize production processes to accommodate all possible employees, including employees with disabilities" (Robert, 2003, p. 151). Capital undervalues the labour of employees with disabilities and commonly treats them as an unreasonable drain on resources. As capital is in the

business of reducing expenditures to accumulate more capital (Harvey, 2014), and accommodations can be deemed to cost money, then the provision of workplace accommodations is incompatible with the business of capital (Deveau, 2008; Russell & Malhotra, 2002), and potentially with the operations of the NPSS which, to more or less of an extent, adopts capitalist relations of production (Evans & Shields, 2010).

Nonetheless, Canada continues to portray a commitment to improving the rights and employment opportunities for people with disabilities. For example, Rioux and Patton (2014) point to the ratification of the CRPD in 2010, successful litigation under the Charter and human rights codes, as well as other more recent policy documents that have reconfirmed a commitment to the concepts of inclusion and participation (e.g., Canada Federal Task Force on Disability Issues, 1996; Canada Federal/Provincial/Territorial Ministers Responsible for Social Services, 2000). In 2007, a Senate committee report argued that the solution to employment inequity is not more legislative change; rather the problem stems from a lack of effective implementation and true commitment to the issue, as well as a culture of respect - pushing supportive attitudes throughout the bureaucracy.

In 2010 Canada ratified the CRPD. This convention provides a road map for service provision and social policies that goes beyond charity and protection to advance the rights of people with disabilities. The convention highlights the specific vulnerabilities of people with disabilities, the irreducibility of their experiences, and avoids creating a "ghetto of disability rights" because it draws on existing canonical human rights concepts (Megrit, 2008).

Reasonable accommodation is defined in the CRPD as “modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human

rights and fundamental freedoms.” In terms of employment, Article 27 of the CRPD asserts that States Parties shall prohibit discrimination with regard to all matters concerning all forms of employment; protect the rights of persons with disabilities, on an equal basis with others; ensure that persons with disabilities are able to exercise their labour and trade union rights; promote employment opportunities and career advancement for persons with disabilities in the labour market; ensure that reasonable accommodation is provided to persons with disabilities in the workplace, etc.

In addition to these key pieces of legislation, many large Canadian employers offer employment-based short- and long-term disability plans through private disability insurance programs. The share of premiums paid by the employer and employees varies widely, as does the coverage. According to Stapleton (2013), most plans provide a two-year period of benefits for persons unable to perform their pre-disability occupation and who have medical evidence of a permanent or long-duration impairment. Thereafter, benefits are provided only if the beneficiary is unable to perform any occupation for which they are reasonably trained or educated. Stapleton found that “private disability insurance is growing in Canada on a per capita basis and has its strongest presence in Ontario” (2013, p. 16). Plan benefits are usually scheduled at 50% to 75% of pre-disability income and are reduced when an individual receives income support from Canada Pension Plan Disability or workers’ compensation benefits. Stapleton further argues that private insurance providers work according to a principle that views disability as a hazard that prevents workforce participation. When someone returns to work, the hazard is no longer present and therefore the insurance is no longer payable. Thus, insurance providers have a financial interest in supporting beneficiaries to return to work.

Provincial Legislation. At a provincial level, the Code added the prohibition of discrimination on the basis of disability in 1982. The Code's provisions have primacy over all other Ontario legislation and is governed by the Ontario Human Rights Commission (OHRC). The Code states that every person has a right to equal treatment with respect to employment, services, goods, facilities, membership in trade unions, occupational associations, or self-governing professions, etc. The Code requires accommodation of the needs of people with disabilities up to the point of undue hardship, considering the cost, sources of available funding, and health and safety requirements. The OHRC's Policy on ableism and discrimination based on disability states that "The duty to accommodate has both a substantive and a procedural component. The procedure to assess an accommodation (the process) is as important as the substantive content of the accommodation (the accommodation provided)" (Ontario Human Rights Commission, 2016, p. 29). The duty to accommodate is informed by the principles of respect for dignity, individualization, as well as integration and full participation. The "most appropriate accommodation" is described as one that meets each of these three principles, "short of undue hardship" (See section 4.3, Ontario Human Rights Commission, 2009, p. 14).

Shestack points out that individualistic natural rights theories have had a major influence on human rights instruments (Shestack, 1998). The Code reflects this influence as seen in the preamble:

Whereas recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world and is in accord with the Universal Declaration of Human Rights as proclaimed by the United Nations. And Whereas it is public policy in Ontario to recognize the dignity

and worth of every person and to provide for equal rights and opportunities without discrimination that is contrary to law, and having as its aim the creation of a climate of understanding and mutual respect for the dignity and worth of each person so that each person feels a part of the community and able to contribute fully to the development and well-being of the community and the Province.

The Code recognizes respect for dignity as a guiding principle of the duty to accommodate but stops short at considerations of economic cost and undue hardship. “The duty to accommodate persons with disabilities means accommodation must be provided in a manner that most respects the dignity of the person, if to do so does not create undue hardship” (Ontario Human Rights Commission, 2009, p. 10). Indeed, Russell (2002) argues that most rights Acts operate within an individualist framework with insufficient attention to structural barriers that rationalize capitalist business practices, the economic system and class power relationships. Russell argues that the micro- and macro-economic realities of capitalism perpetuates a disabling society and impedes inclusive employment. Russell suggests that “The failure of rights legislation to increase disabled people’s employment exposes the contradictions of promoting equal opportunity in a class-based (unequal) society” (p.117). Several authors have similarly argued that despite the rise in profile of disability rights, many people with disabilities are not living as comfortably as imagined by the rights paradigm. The present study picks up on these arguments to examine how the Code operates in practice from the standpoint of employees with disabilities in the NPSS.

Public policy on human rights has been in place in Canada since WWII. The policy was intended to control discrimination through enactment of human rights or anti-discrimination law, and through the creation of agencies to administer the law, usually called human rights

commissions. Howe (1991) describes how this policy has evolved under conflicting pressures to expand the scope of human rights protections; and restraint pressures to limit the economic capacity of human rights commissions to fully apply the legislation.

The realization of human rights in Ontario was also supported by the adoption of an incremental approach to legislative change. “The strategy was to pressure not for comprehensive change but for specific laws...which were limited, clearly defined and reasonably attainable” (Howe, 1991, p. 791). There was also general appeal to a negative and conciliatory approach to be used by the OHRC to administer the Code. The OHRC was tasked to respond to individual complaints in basic areas such as employment. The OHRC was to settle complaints amicably; enforcement was only to occur as a last resort and fines were to be low. The OHRC also publicly shared literature, inquiry decisions, and held community consultations and press releases to spread a message that social rights to basic welfare and anti-discrimination were also basic human rights and a centrepiece of Ontario’s public policy. In 1982 the Code was expanded to include protections for people with disabilities, as well as the concept of systemic discrimination and positive obligations on the state. At this time, the Code was also given primacy over other legislation.

Another important piece of legislation is the *Workplace Safety and Insurance Act* (WSIA), which was implemented in 1997, replacing the *Workers Compensation Act*. The current Act is governed by the Workplace Safety and Insurance Board (WSIB). The Act provides the WSIB with its mandate which, "in a financially responsible and accountable manner" is intended to promote health and safety in the workplace, facilitate return to work and recovery from workplace injury or illness, facilitate the re-entry into the labour market for workers and the spouses of deceased workers, and provide compensation and other benefits to workers and the

survivors of deceased workers. If an employee misses time from work because of a work-related injury or illness, WSIB will generally pay for 85% of loss of earnings (take home pay).

Prospective workers may have access, upon approval by an assessor, to a designated list of health care equipment and supplies, to improve or support independent living. The WSIB also has the authority to collect premiums from employers to fund Ontario's workers' compensation system.

In their review of disability supports and employment policies in Ontario, Torjman and Makhoul (2016) found that, "For the majority of workers covered under the WSIB, the program works well. At least 10 percent of injured workers experience problems with the WSIB. While only a minority, the latter group nonetheless comprises a sizeable number" (p. 10). Employers are obliged to take back workers within one year of their leave from work. However, Torjman and Makhoul note "that there is no active enforcement of this obligation" (Torjman & Makhoul, 2016, p. 11). The Act stipulates that once the WSIB assesses a worker as able to return to work, employers must find a position for that individual and accommodate them in the workplace. In Ontario, the WSIB follows a process of job placement for individuals to return to their same job, a different job, a different employer if the former options do not work and retraining if all other possibilities have been exhausted.

In theory, injured workers have an advantage over other persons with disabilities as they have gained experience in the labour market and are part of a system that purportedly is set up to meet their unique needs. "In practice, however, serious problems have been reported in recent years regarding the shrinking coverage of assistance, more stringent work expectations and less effective forms of support... There has been growing concern for fiduciary responsibility and fiscal management – sometimes, it seems, at the expense of the health and well-being of the

worker” (Torjman & Makhoul, 2016, p. 11). Torjman and Makhoul found that most injured workers with a permanent impairment go back to work, but an estimated 45% are re-injured when they do – often because of inappropriate accommodation, incorrect assessment of workplace risks and/or returning to work too soon. At times, workers may push themselves too hard because of performance expectations by co-workers or management pressure.

In 2001, in consideration of all Ontarians with disabilities, the *Ontarians with Disabilities Act* (ODA) was passed. The stated aim of this act was to achieve access, inclusion and equity for people with disabilities. The ODA, which is the precursor to the *Accessibility for Ontarians with Disabilities Act* (AODA), covered the provincial government and the broader public sector.

In 2005, the AODA was passed to address limitations of the ODA. The purpose of the AODA is to:

benefit all Ontarians by, (a) developing, implementing and enforcing accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises on or before January 1, 2025; and (b) providing for the involvement of persons with disabilities, of the Government of Ontario and of representatives of industries and of various sectors of the economy in the development of the accessibility standards. (see Part 1, section 1)

Unlike the ODA, which applied only to the provincial government and broader public sector, the AODA applies to "every person or organization in the public and private sectors of Ontario." The AODA authorizes the Government to establish accessibility standards by regulation. As of the

date of this study, five standards have been established as part of the Integrated Accessibility Standards Regulation including: customer service, information and communication, employment, transportation, and the design of public spaces. The purpose of the AODA employment standard is to integrate accessibility into regular workplace processes and to ensure that employers provide for accessibility across all stages of the employment life cycle. The employment standard applies only with respect to paid employees which includes, but is not limited to, full- and part-time employees, seasonal employees, and paid apprenticeships. As of January 1, 2017, all Ontario employers with at least one employee in Ontario are required to comply with most requirements under this standard. Under this standard, all employers are required to notify job applicants of accommodations available during the hiring process and the employer's accommodation policies. For large employers, there must be a process for responding to an employee's accommodation request, including a written accommodation plan. In addition, every employer in Ontario is required to provide individualized workplace emergency response information to employees with disabilities.

The standard requires that performance management, career development and redeployment processes consider the accessibility needs of employees with disabilities and their individual accommodation plans. If an employee with a disability needs to take time off work for treatment, recovery, or other reasons, the standard requires employers to develop a process that supports employees who have been absent due to a disability and require disability-related accommodations to return to work. Small private or non-profit organizations that provide goods, services or facilities to the public or to other organizations and have one to 49 employees in Ontario (such as Organization A and B) are exempted from this return to work requirement.

The AODA also includes a regular review process of the Act by an outside qualified

reviewer. The last review was completed in 2014. The review found that Ontarians continue to support the vision of full accessibility by 2025 but are frustrated by the slow implementation that has resulted in modest change on the ground (Moran, 2014). Specifically, the review heard that the AODA has made slight difference on the employment front. Some of the persistent barriers included misconceptions about the costs of workplace accommodations and misinterpretations of medical certificates, leading to inadequate accommodation plans. Some of the reasons for these misunderstandings were because "Both the public and private sectors said they had problems understanding their obligations because the standards are often not clear enough or specific enough about what is required" (Moran, 2014, p. 28). In this way, the review found that implementation of the AODA has proved to be challenging for many obligated organizations. One of the biggest weaknesses of the AODA is that it does not have any mechanism to address cost. Disability stakeholders expressed varying views on the cost issue. Some pointed out that accessibility has been required under the Code since 1982 and argued that accessibility should simply be viewed as "a cost of doing business" (Moran, 2014, p. 30). According to Moran, some members of the Ontario disability community called for a balanced approach to calculating the costs of accessibility such that the cost of compliance with AODA standards should be measured against the pre-existing cost of compliance with the Code, offset against the economic benefits of accessibility.

Findings from the present study will touch on most of these pieces of legislation. All the pieces are described here to describe the landscape in which this study was conducted. Sometimes participants identified potential influences of these policies on their experiences. Other times, institutional influences were more implicit and drawn out through the analysis process. Findings are discussed in relation to how the legislative context intersects with

circumstances facing organizations in the Ontario NPSS and conceptualizations of disability in relation to employment. Starting from the standpoint of employees with disabilities in the NPSS illuminates these intersections to explore how and why non-profit human service providing organizations can provide inclusive employment. To continue, the next chapter describes the methodological and conceptual framework used to guide this research. Included in this chapter are details of the research and analytical processes used to generate the findings from this study.

Chapter Four: Methodology

This study focuses on work in non-profit service providing organizations, with a concern for how the institutional environment (e.g. norms, rules, values) influences the organizational structure, culture and outcomes of work for people with disabilities. It is a critique of the neoliberal influences on the potential of the NPSS to be an inclusive employer; and an exploration of strategies that can be utilized to provide inclusive workplaces and positive images around disability and diversity in the NPSS. This chapter presents the objective of the present study which is to conduct an institutional analysis that explores how non-profit human service providing organizations are providing inclusive employment opportunities by examining institutional documents and policies, the perspectives of organization staff responsible for such practices and the lived experiences of people with disabilities working in these organizations.

Institutional analysis can be a key analytical approach to the study of the influences of socio-political-economic systems because it is concerned with institutional changes including the restructuring of the state, labour relations, markets, regulations, etc. (Birch, 2015; Harvey, 2005). Birch (2015) alerts those who use this approach to "be careful when it comes to the conceptual treatment of institutions; it is important that any analysis does not reify them as social agents, rather than treating them as relations between social actors" (p. 578). Birch suggests that studies that push forward debates on political economy, including research on different processes associated with neoliberalism on different social groups, should dig down beneath the broad, and at times sweeping, conceptualizations found in the literature. Thus, the present study will dig down into how labour market policies pursued by the Ontario provincial government influence the potential of the NPSS to be an inclusive employer.

The term 'institutional analysis' is used by many academic disciplines and has several

meanings and connotations. In the social sciences, there is no consensus as to what is meant by institutions or institutional analysis. The terms are widely used such that institutional analysis can be applied in numerous ways to examine a broad reach of topics and phenomena. Given its breadth, the following section outlines the conceptual framework for the present study.

Conceptual Framework

To establish some coherence within the field of institutional analysis in the social sciences, Hollingsworth (2000) notes, "at the outset, we need to recognize that when we engage in institutional analysis, we must be sensitive to multiple levels of reality" (p. 600). In this respect, Hollingsworth defines the various components, or levels of reality, that may be considered in an institutional analysis. These components are described in the table below and is intended to be a map of the field of institutional analysis. Each of these components is interrelated with the various components arranged in descending order of stability or permanence. Components at higher levels are more permanent and durable, while those at lower levels change more rapidly. As the experiences of people with disabilities working in the NPSS become visible, findings from the present study will touch on these components.

Table 2: Components of institutional analysis (adapted from Hollingsworth, 2000)

Component	Description
Institutions	Norms, rules, conventions, habits and values
Institutional arrangements	Markets, states, networks, associations, communities
Institutional sectors	Finance, business, education, health care, social services, research, etc.
Organizational structures	How the environment influences organizations and their behaviour
Outputs and performance	Administrative decisions, sectoral and societal performance

Hollingsworth gives some helpful definitions for abstract concepts such as institution. Institutions are defined as the basic norms, rules, conventions, habits and values of a society. Most human activity is organized and regulated by norms and rules and systems of rules. These

are the most fundamental properties of institutions and are the most enduring and resistant to change.

Similarly, from an IE perspective, McCoy (2006) notes, "the concept of institution directs attention to clusters of ruling or administrative relations organized around specific functions, such as health care, law, finance, social services, or municipal government" (p. 124). From a methodological perspective, "Institution, in this usage, does not refer to a particular type of organization; rather, it is meant to inform a project of empirical inquiry, directing the researcher's attention to coordinated and intersecting work processes taking place in multiple sites" (DeVault & McCoy, 2006, p. 17). These forms of inquiry can be used to connect or contrast people's concrete experiences with abstract ideas about institutions, bringing into question what is commonly known, and examining the conceptual and textual work that in actual local practices bring institutional entities into existence and coordinate large-scale organization (Hollingsworth, 2000; D. E. Smith, 1997; Turner, 2006). The 'local' refers to the place where individuals are active in their bodies, in actual places and time (Prodinger & Turner, 2013).

IE is used here as a tool for analysis and a guide for developing the procedures of this study based on a belief that social life is not chaotic but is organized to happen as it does. This study aligns with the premise of IE such that individuals coordinate their activities and daily lives, knowingly or unknowingly in reaction to this "social organization" (Campbell & Gregor, 2008; D. E. Smith, 1987). Analytically then, IE supports the goal of the present study whereby, "there are two sites of interest - the local setting where life is lived and experienced by actual people, and the extra or trans-local that is outside the boundaries of one's everyday experience" (Campbell & Gregor, 2008, p. 29). The present analysis built back into the individual account what was discovered about the workings of such trans-local ruling practices.

Like some previous research in critical disability studies (e.g., Gorman, 2005), the present study approaches IE primarily as a conceptual framework. The present study does not employ IE as a pure methodological framework. Rather, it draws from the field of IE via Dorothy Smith's (D. E. Smith, 1974, 1987, 1997, 2005, 2006b) and others' (Campbell & Gregor, 2008; DeVault, 2006; DeVault & McCoy, 2006; Turner, 2006) concepts of standpoint and the relations of ruling. Smith's standpoint theory makes direct experiences of the everyday world the primary ground of knowledge by "first placing the sociologist where she is actually situated, namely at the beginning of those acts by which she knows or will come to know" (D. E. Smith, 1974, p. 11). According to Smith, the only way of knowing a socially constructed world is knowing it from within. Smith's standpoint theory begins from one's original and immediate knowledge of the world, thereby offering a way of making its socially organized properties first observable and then problematic. From this perspective, Smith developed IE as an alternative Marxist feminist sociology for people who are marginalized and is now used by researchers in social sciences, human services and policy research (Campbell & Gregor, 2008; Deveau, 2011; Proding & Turner, 2013; D. E. Smith, 1987). IE analysis:

proceeds by way of tracing the social relations people are drawn into through their work (with the term 'social relations' taken in its Marxist sense to mean not relationships but connections among work processes). The point is to show how people in one place are aligning their activities with relevances [*sic*] produced elsewhere, in order to illuminate the forces that shape experience. (DeVault, 2006, p. 294)

This formulation of social relations refers to an expansive, historically specific apparatus of management and control that arose with the development of capitalism and supports its

operation. Smith's initial sketch for IE research (see also DeVault, 2006; D. E. Smith, 1987) demonstrates how one might begin with some embodied experience - in her example it was that of single mothers working to manage their children's schooling, and in this study it is that of people with disabilities working in the NPSS - and looking toward the conceptual practices that mark individuals and bring them under the jurisdiction of others. Institutional ethnographic analysis has the capacity to show how the problem of inequality arises, as well as point to possibilities for changing the organization of work rather than "fixing" individuals with disabilities. From a practical perspective, DeVault (2006) points out that IE research can inform social change but, "The research won't bring solutions without the political work, the [IE] approach is meant to offer the kind of 'map' that could help those working politically to see what they are up against and where they might want to apply pressure" (p. 295). This is the hopeful goal of the present study.

There are many ways of realizing IE in practice. As Smith (2006b) describes, IE is committed to exploration and discovery beyond any one individual's experience and putting into words supplemented in some instances by diagrams or maps what they discover about how people's activities are coordinated. "Institutional ethnography is distinctive among sociologies in its commitment to discovering 'how things are actually put together,' 'how it works'...Inquiry, discovery, learning, as central to the institutional ethnographic project means orienting toward effective research practices rather than methodological dogma" (Smith, 2006, p. 2). According to Smith, IE is not about studying institutions as such. Rather, it begins in people's experiences and avoids interpretive allegiance to theories. For the present study, taking the standpoint of people with disabilities in the everyday world of work in the NPSS means beginning where they are as bodies in the actualities of their lives. IE is meant to be a way of looking out beyond the

everyday to discover how it came to happen as it does - bridging the divide between the micro and the macro. The aim is to extend people's ordinary good knowledge of how things are put together in their everyday lives to "dimensions of the social that transcend the local and are all the more powerful and significant in it for that reason" (Smith, 2006, p. 3). IE aims to point out the social relations that bring our local activities into coordination with those of others.

The present research began by interviewing people with disabilities about their everyday experience working in the NPSS. Their way of knowing about their work is known in IE as the "experiential way of knowing" (Deveau, 2011, p. 155). This way of knowing can differ from employers' interpretations of the same work which is called the "ideological way of knowing" (Deveau, 2011, p. 55; see also D. E. Smith, 2005). A "line of fault" in IE terms, occurs when these two ways of knowing differ and collide with each other.

For the present study, interviews with people with disabilities brought into view the interface between their lived experiences at work, and a set of institutional relations. This panel of informants gathered together individuals whose standpoint the research takes, whose experience generated the particulars to be investigated and provided the entry point into a set of institutional relations. "The analytic goal is to make visible the ways the institutional order creates the conditions of individual experience" (McCoy, 2006, p. 109). As a standpoint project, the research proceeded by studying up, from a critical theoretical position, to reveal the strategies and challenges to provide inclusive workplaces and positive images around disability in the NPSS. According to Harding (2004), standpoint projects must 'study up' and be part of critical theory to reveal ideological strategies that shape everyone's lives. Standpoint projects see beneath or behind the actualities of people's everyday lives, on the one hand, and the conceptual practices of powerful social institutions on the other hand.

With this conceptual framework in mind, I will now describe the research experience and analytical process. Following that will be a chapter to describe the research participants, including employees with disabilities and the organizations that took part in the present study.

Sampling and Data Collection

This study began in September 2016 after receiving approval from the ethics review committee at York University. Participants included nine employees with disabilities who lived their everyday lives in local settings organized by trans-local social relations of ruling. While this sample may seem small, there are no rules for sample size in qualitative inquiry. As described in previous literature on qualitative research and IE projects, the size of a sample depends on the research question, the researcher's economic resources and the particular research context (Hesse-Biber, 2007; Miles & Huberman, 1994). Further, "The logic of qualitative research is concerned with in-depth understanding and usually involves working with small samples. The goal is to look at a 'process' or the 'meanings' individuals attribute to their given social situations, not necessarily to make generalizations" (Hesse-Biber, 2007, p. 119). Listening to employees describe their knowledge and experiences enabled entry into how the current social, economic and political environment influences the forms of employment available to people with disabilities in the NPSS.

To respond to the present study's research questions, a criterion based purposive sampling strategy was used to recruit participants from three non-profit service providing organizations located in Southern Ontario that met one or more of the following criteria:

1. Formal recognition of exceptional workplace diversity and inclusiveness programs and/or
2. Documented history of commitment to inclusion in employment practices.

Based on these criteria, participants from three organizations were selected for participation. HR

or management staff from these organizations were contacted via email to describe the purpose and objectives of the present study and request their support with participant recruitment (see Appendix A for introductory script and Appendix B for project information letter). Respondents were asked to share an invitation for participation with all employees (see Appendix C) at their organization via email. To protect confidentiality and anonymity, the three organizations that participated in this study will be called Organization A, Organization B and Organization C.

Data collection proceeded from September 2016 until April 2017. Upon receiving ethics approval, I contacted the executive director of Organization A, a disabled person's organization (DPO), who at once agreed to participate and offered any support required to complete this research with them. At the same time, I contacted a manager from another organization who, after several weeks of communication with HRs and senior leadership, declined support for the project citing concerns about the protection of confidentiality and anonymity of staff with disabilities. Thus, I reached out to the executive director at Organization B, another DPO, who agreed to participate and offered any support required to conduct this research.

I also contacted a director from Organization C. Organization C is not a DPO. Organization C provided social services to people with and without disabilities. The director from Organization C expressed interest in participation but required an internal ethics review process before approving my study. The review process included specific questions about protection of individual and organizational confidentiality, as well as clarity about the benefits of this research for their organization and staff. The organization's ethics review committee responded to the initial application with a request for additional clarification about the present study's methodology and practical implications of the research. This review process took two months to complete and included a promise to share the research findings with the organization

to ensure confidentiality and anonymity has been protected, as well as share insights from the research for consideration in their organizational practices.

After receiving approval to collect data from each organization, interested employee participants could self-identify by phoning or emailing the present researchers for further information about the project and/or to schedule a date and time for an interview. Some employees with disabilities noted caution in their willingness to participate. Several employees requested details about the purpose and eventual reporting of this research. Employees asked detailed questions about participant confidentiality and anonymity before agreeing to an interview. One participant asked many questions about the research in advance of their interview and then withdrew from the study several days after their interview was completed. Two to three invitations to participate were sent to all staff from all three participating organizations. In the end, nine employees with disabilities were recruited which required multiple email invitations to participate, personal visits to the organization's office, and invitation requests by word of mouth. It was during this process that participants expressed a sense of vulnerability. Some participants expressed concern that their responses could be presented as a negative portrayal of the organization and wanted to present the organization positively. Other participants expressed concern that they would be identified by their specific job responsibilities or titles. As such, I have shared my results with participating employees for their feedback, and to ensure I removed identifying information to protect their confidentiality and anonymity.

Participants were asked to provide free, informed and written consent to respond to interview questions and have the interview audio recorded and transcribed verbatim (see Appendix D for informed consent form). All interviews were conducted in person or over the phone at a mutually convenient time and private location. Those who granted their consent were

asked to participate in an in-depth individual interview to share their thoughts and experiences of their work in the NPSS. The intended interview procedure with employees with disabilities followed an unstructured interview guide (see Appendix E) to allow flexibility in discussion for related topics to emerge and took approximately one hour. According to Hesse-Biber (2007) unstructured interviews can be used for research projects with the goals of exploratory data gathering and in-depth understanding of a particular topic or phenomenon. Unstructured interviews have a basic interview plan, but the interviewer has minimal control over how the respondents will answer the questions. The interviewer takes the lead from respondents – going where they want to go but keeping an overall topic in mind.

The purpose of the interview was to capture the subjective understanding that individuals bring to their everyday experience of employment in a non-profit service providing organization. This method was used to explore employment issues and gain focused information on issues of importance from the standpoint of people with disabilities. Interview questions sought to open up a space for participants to speak about what they felt was important, to convey their own feelings about their work in general and their current job.

The types of questions asked followed a feminist interviewing style (Hesse-Biber, 2007). Feminist interviewing is a method for research that "gets at an understanding of women's lives and those of other oppressed groups, research that promotes social justice and social change, and research that is mindful of the researcher-researched relationship and the power and authority imbued in the researcher's role" (Hesse-Biber, 2007, p. 117). Following this style, the interview guide was designed to gain insight into participants' experiences by asking questions that probed into their encounters with social exclusion, precarious work, workplace accommodations and career goals. These probes reflected some of the sensitizing concepts identified in the literature

review above to frame the methods for this study (van den Hoonaard, 1997).

As discussed by Hesse-Biber (2007), probing is an essential tool for an effective in-depth interview. Low-structure interviews that ask fewer questions require the interviewer to delve deeper into what the respondent is choosing to discuss.

A probe is the researcher's way of getting a respondent to continue with what they are talking about, to go further or to elaborate...Sometimes a probe is simply a sign of understanding and interest that the researchers puts forward to the interviewee. (Hesse-Biber, 2007, p. 126)

Probing was essential in this investigation of the social relations of work for people with disabilities in the NPSS. As described by DeVault and McCoy (2006), using interviews to investigate social relations requires alertness to informants' references to texts or text-mediated processes. Sometimes these were easy to catch, other times a textual process may lie behind the description an informant was giving. In both cases probing was required to delve deeper into the process.

Moreover, during an interview it is common and understandable that people in an institutional setting describe their work using the language of the institution. To gather a thick description of individuals' day-to-day work processes, I was acutely aware of institutional language in the form of jargon, acronyms, assumed understanding of experiences, etc. Following suggestions from DeVault and McCoy (2006), I obtained a description of the institutional terms, jargon, acronyms, etc. to learn how such terms and discourses operated in the NPSS workplace setting.

Responses from employees with disabilities directed further inquiry and data collection

from the perspective of those in supervisory, support or managerial roles. This included two representatives from HR departments, one union representative, and three senior leaders (i.e., directors and executive directors). Responses from employees also pointed out relevant organizational documents related to HR policies and procedures, as well as strategic plans, annual reports, accessibility policies, sample accommodation plans, newsletters, etc.

These participants (i.e., directors, HR and union representatives) were contacted via email or phone to describe the purpose and objectives of the present study and request their participation in an interview (see Appendix F for invitation to participate). As appropriate, "more than one purposive sampling procedure can be used within any given qualitative inquiry" (Hesse-Biber, 2007, p.119). In this case, an opportunistic sampling strategy was utilized to follow new leads and take advantage of unexpected or unplanned data collection prospects (Patton, 1990).

The interview procedure with other support staff followed a semi-structured interview guide (see Appendix G). Questions were designed to inquire about organizational capacity to be an inclusive employer; organizational aspects of social exclusion; workplace culture and commitment to inclusion; as well as the nature of employment available to employees with disabilities. These questions stem from concepts drawn from the literature on neoliberalism, social exclusion, and the nature of employment. The following table presents the participants included in this study.

Table 3: List of participants

Participant pseudonym	Organization	Role
Monica	A	Employee
Deidre	A	Employee
Katie	A	Employee
Susan	B	Employee
Faith	B	Employee
Jane	C	Employee
Tracy	C	Employee
Anna	C	Employee

Participant pseudonym	Organization	Role
Elizabeth	C	Employee
Sarah	A	Executive Director
Quinn	A	Director
Brett	B	Executive Director
Devin	B	Human Resources
Jamie	C	Human Resources
Alex	C	Union Representative

The Analysis Process

The analytic goal of the present study was to make visible the ways in which the institutional order created the conditions of individual experience for employees with disabilities in the NPSS. Drawing from IE analysis, “Rigor comes not from technique - such as sampling or thematic analysis - but from the corrigibility [*sic*] of the developing map of social relations” (DeVault & McCoy, 2006, p. 33). This study was not about counting instances of comparable events, themes or language usage, nor was it about categorizing data in artificial or abstract ways. In this way, the present analysis explicates everyday experiences, and individual’s accounts of them, rather than just collecting and describing them. This explication takes this analysis in a different direction from identifying themes or theorizing data.

With external reliability in mind, I have attempted to specify my analytic process in sufficient detail. Descriptors are phrased in terms as concrete and precise as possible, including verbatim accounts of what people said. Interpretive comments were added, but the record of who did what under which circumstances is as accurate as possible. Following suggestions from LeCompte and Goetz (1982), this material was analyzed and presented in excerpts to substantiate inferred categories of analysis. Such descriptions are given with recognition of informant bias, such that participants include people with disabilities who were introspective and insightful about their own lives. They were also people who were willing to volunteer their time and take part in this research. Other participants, including senior leaders, union and HR representatives,

may be biased toward official organizational perspectives. These participants may have been inclined to describe the organization in a positive light or protect information on their challenges and limitations.

Drawing from methods of IE, analysis was done during writing. Findings were written and re-written as the story of the data was developing. Pieces of data were introduced from several sources with recognition that, from an IE perspective, inserting more examples did not necessarily make better analysis. Participants were not expected to have matching experiences, but there was coherence as the coordinating social relations were uncovered.

Starting from the subjective experiences of employees with disabilities, analysis shifted to a focus on the institutional processes organizing these experiences. The focus was on understanding how various participants were involved in the work processes and practices described by employees. Analysis proceeded to investigate how the structure of the workplace included or excluded employees with disabilities in each organization with attention to actual practices and relations in the workplace. Questions of validity involved referencing back to employees about what they described during interviews. Wherever possible, alternative perspectives and explanations of events from various informants at multiple levels of each organization have been included. Organizational documents also offered an additional source of data to verify what participants said.

Starting with the transcripts of interviews with employees with disabilities, each was analyzed to look for clues about how the employment of people with disabilities was socially organized in each of the three organizations. The next analytic step was to consider how the local actions of employees with disabilities were influenced by extended social relations and how social, political and economic institutions influenced these. Analytic attention was directed to the

practical activities of everyday life to explicate how those activities shape and are shaped by extended trans-local relations of larger scale coordination. In producing this discussion, I also drew from my own working knowledge about disability, employment, and the NPSS. Following suggestion from McCoy (2006):

Picking out the institutional traces in people's accounts and seeing how their work takes shape at the institutional interface involves a hermeneutic process of reading, in which prior knowledge of institutional sites and processes informs the reading of the accounts, and the readings of the accounts raises questions that prompt further exploration of the institutional field, which then informs repeat readings of the interviews. The objective is a kind of analytic mapping that locates individuals and their experience within a complex institutional field. (p. 113)

Thus, analysis proceeded by way of identifying what was going on in the field, as it became apparent in participants' accounts of their experiences at work. Beginning with the first transcript, each emerging insight was given a code. Codes were created to group together chunks of data that referred to work processes and the institutional order. Each interview offered an opportunity to learn about a particular piece of the extended relational chain that surrounded the experiences of people with disabilities at work (McCoy, 2006).

During interviews, attention was paid to catch participants' references to texts or text-mediated processes. Sometimes these were easy to catch, as when a participant mentioned a specific document and how it functioned. Other times a textual process lay behind the description a participant was giving and required further investigation to seek out this process. Not all texts mentioned during interviews became focal in the analysis. The preliminary literature

review for this study mapped out some of the key texts that influence the employment of people with disabilities - namely federal, provincial and international laws, policies and conventions. However, these were not the only texts included in the analysis. Other texts not considered before data collection began were included in the analysis as appropriate. Following Hollingsworth's components of institutional analysis, the interview process involved listening for texts that stood for the institution's norms, rules, conventions, habits and values (Hollingsworth, 2000). These texts are also known, in IE terms, as institutional texts. The present study paid attention to how neoliberalism influences these texts and how these texts influenced organizations and the behaviour of individuals.

Dorothy Smith coined the term "textually-mediated social organization" to express the notion that our engagement with texts (e.g., laws, policies etc.) coordinate our actions. Focusing on particular textually mediated relations keeps the institution in view. Specifically, this study attended to institutional texts that were active in work processes for employees with disabilities.

Institutional texts have a fixed and replicable character and include any documents that can be stored, copied, transferred and distributed to become subsequently activated by users in different places and at different points in time. 'Active' texts are provided, read, completed or agreed to and could be forms that are filled in, information letters, agreements that are signed, etc. 'Higher order' texts are likely not visible in actual settings, but coordinate other texts that become active in actual settings of people's work" (Prodinger & Turner, 2013, p. 359).

In other words, active texts are coordinators of sequences of action and often operate in a regulatory hierarchy of texts. Examples of higher order texts can include guidelines,

organizational policies, etc., that are enacted within a particular institution. Higher order texts do not necessarily rule by prescription (Prodinger & Turner, 2013), but may establish “concepts and categories in terms of which what is done can be recognized as an instance or expression of the textually authorized procedure” (D. E. Smith, 2006a, p. 83). Higher order texts influence the organization of work through active texts at various sites. The interrelation of texts is referred to as intertextual hierarchy (D. E. Smith, 2006a).

In addition to what people said, this analysis focused on how they said it. Attention was paid to body language, vocal intonations, crying, and laughter. These actions earmarked points for further investigation into some activity or social relations that could be pertinent to the investigation. For example, when speaking with Anna about her workplace accommodations at Organization C, she started crying. Elizabeth also cried when she discussed her relationship with her supervisor and concerns for showing emotion in the workplace. These emotional expressions showed that accommodations and emotions in the workplace were two important areas for further investigation. These aspects of the interview were important because our everyday experiences at work begin where we are always in our bodies (D. E. Smith, 1987). Moreover, “People’s descriptions of their work activities and lived experiences are often produced gesturally as well as verbally” (DeVault & McCoy, 2006, p. 24). As such, this analysis proceeded by way of understanding that it is not just about words, but how the words are lived in embodied experience.

Drawing from IE allowed for a process of going back and forth from the interview data to the social-political-economic context to seek answers to the research questions. DeVault and McCoy suggest that analysis is a matter of moving back and forth from collected speech and the context that produced it (DeVault & McCoy, 2006). This approach to working with interview

data referred beyond the transcript to other sources, informants, and texts to investigate what was organizing aspects of the discourse or institution that were visible in employee's accounts of their experiences. Paying attention to the ways that trans-local institutional processes and discourse affected the ways participants talked about their lives, one of the challenges I experienced throughout my research for this dissertation, was to watch out for the ways this same discourse framed my own work. As such, paying attention to what people said called into question what I had already been thinking and prompted re-thinking. Next, I will describe the participants and organizations that took part in my study.

The Participants

This research began from the standpoint of employees with disabilities, with a description of their original and immediate knowledge and experiences. According to Smith (1987), taking up the standpoint of employees with disabilities cannot be equated with perspective or worldview, nor does it universalize a particular experience. It is a method that creates space for relatively absent subjects and absent experiences which is filled with presence and spoken experience of actual people, speaking of and in actualities of their everyday worlds.

Following this will be a description of the organizations where these employees worked which sets the context in which this study was conducted. Each organization or employee is not a 'case', but a point of entry, such that the locus of experiencing subjects offered entry into a larger social and economic process. As Smith describes, "The problematic of the everyday world arises precisely at the juncture of particular experience, with generalizing and abstracted forms of social relations organizing a division of labour in society at large" (Smith, 1987, p. 157). This section will describe the work that these participants engaged with, what it involved for them and what they said it felt like to do this work.

The employees. The employees who participated in this research had different kinds of impairments. Most had invisible impairments which meant that their impairment was not always obvious or apparent to others but could sometimes or always limit daily activities and varied from person to person. Impairment types ranged from mild challenges to more severe. Some participants identified with more than one impairment type. One participant did not disclose their impairment during their interview. Several participants identified with psychosocial impairments such as post-traumatic stress, anxiety, and bipolar disorder. At least two participants described their environmental sensitivities. Two participants had visual impairments. In some instances, participants had congenital impairments such that they were "born" disabled. Other times, the impairment was adventitious, meaning that it developed over the course of their lives, but was long term and considered permanent. Most employees supported children or other family members at home. Two participants described themselves as single parents.

This study did not include people with intellectual impairments or people who were Deaf or hard of hearing. This group was not purposely excluded from the study, however as participants self-identified to participate, there was no one in this sample who identified with these disability types. People with intellectual impairments, and people who are Deaf or hard of hearing may have different experiences of exclusion or inclusion in the labour market or the NPSS specifically which present opportunities for further research (e.g., Dr. Adam Lodzinski & Associates, 2005; Jahoda, Kemp, Riddell, & Banks, 2008).

The majority of employees were frontline workers who provided direct service to service users and other community organizations. Duties included supporting intake processes for new service users; individualized planning and supports to services users and their families; facilitating connections and engagement between individuals and the organization with other

service providers; support for organization volunteers; other research and administrative work (e.g., writing reports, case notes, support plans, service applications, etc.); event planning; community education; as well as promoting organizational diversity and inclusion efforts. All of these employees were in non-managerial roles. To protect the confidentiality of participants, I will not be more specific about job responsibilities, positions or titles.

In addition to these responsibilities, several employees said that they were involved in other organization activities such as participation in committees that promoted diversity and inclusion in the workplace, policy implementation and equity initiatives. Activities also included fund raising for the organization and participation in community events. Often, employees were paid to take part in these other activities as they contributed to the mission of the organization.

Employees described using many skills and abilities to do their job, including the ability to think critically and make decisions. Several employees utilized an anti-oppression, anti-racism, anti-discrimination perspective to avoid prejudice and judgment of service users and co-workers. Employees described teamwork and collaboration skills to work cooperatively with other service providers and co-workers to provide wrap around supports to service users. Employees used technical writing skills to write reports, case notes and other documentation. Creativity and clear writing skills were assets for those who made newsletters and flyers for clients to communicate information about the organization's services, activities or events. In turn, this required effective communication skills, or "people skills" as one employee said, to liaise with service users, supervisors, managers, other service providers and co-workers.

All employees described using computer and technological skills to use Microsoft Office programs, manage internal information databases, and adaptive software such as speech to text programs. These tasks required knowledge of updated software programs and new software

applications as they were implemented or applicable in the workplace.

Employees talked about their knowledge of their organization's history, philosophy and values. They referred to various policies and programs within relevant service systems for their organizational operations. All employees had post-secondary, college, bachelor or master's level, education in social work and/or the social sciences prior to starting their current job. Thus, the employees with disabilities who took part in this study were all highly educated individuals with post-secondary education. This is not, nor was it intended to be, a representative sample of the general population. Many people with disabilities are excluded from the opportunity to attend post-secondary education due, in part, to limited finances or accessibility constraints (Rioux, 2013). Future research could examine how access to formal education influences the inclusion of people with disabilities in the NPSS.

Participants included new and long-term employees. Employment histories ranged from less than one year, up to 13 years in their current position. Experience in the organization ranged from less than one year up to 21 years. Experience in the sector ranged from less than one year up to 30 years of employment history. All participants were employed in full time positions, most of which were permanent jobs. A few participants were working in temporary contract positions with potential for extension or permanency. This potential was linked to funding opportunities for the organization to secure the position, or the possibility of other staff returning to the job from a temporary leave.

Employees described how they drew on their personal life experiences while working at their job. Several employees at Organization A and B described how their experiences with impairment and disability drew them to work at a DPO, and to support other people with disabilities. Employees at Organization C also described that they wanted to work in social

services because they had experienced some form of abuse, discrimination or marginalization which influenced their attraction to help others with similar experiences.

All employees said they felt they were making a positive contribution to society through their jobs and, generally speaking, they all enjoyed their jobs. Employees expressed that they chose to work in the NPSS because of their concern for social justice and wanting to contribute to the betterment of society. As described by Van Ymerman and Lalande (2015), one of the greatest strengths of the Ontario non-profit sector is the passion that many workers feel toward their organization's mission and vision. The following excerpts highlight this passion.

Deidre: "From a very early age I always had a need or sense or desire to support people [and] see them develop to their potential...It sort of became an innate characteristic...to [want to] be in the so-called helping profession."

Deidre and most other employees talked about their organization's philosophy as a driving force for their interest and motivation to do their job. They expressed a match between their values and the values of the organization. Similarly, with reference to the work she does at her job, Tracy said it gives her satisfaction because, "I really do believe we have a moral responsibility to leave the world a better place...and I have to do something".

When asked what their ideal job would be, most participants said that their current job reflected their ideals. Jane said, "I think what I'm doing now is pretty well my ideal job. It's interesting, it's challenging, it involves writing, it involves some research. It's in a team environment with some client contact...So it feels meaningful because...I help people." Many Ontarians rely on the services provided by the NPSS and can have a close connection to the service workers drawn from their ranks (Baines et al., 2014). Thus, the ability to reward the

people employed by non-profit service providing organizations, are critical to the well-being of the sector and those it serves. Next, I will describe the nature of employment opportunities at the organizations that took part in this study in accordance with the dimensions of employment adapted from Tompa et al. (2007). The following descriptions are necessarily vague to ensure participants' rights to confidentiality and anonymity in accordance with the position of the Human Participants Review Committee at York University.⁵

Organization A. Organization A was a small DPO located in an urban area of Southern Ontario. The organization offered services and supports to individuals with disabilities and had a documented history of employing people with disabilities. The organization was formed more than 30 years ago and was led by a board whose members include a majority of people who identify with a disability. Some senior leaders were also people with disabilities. The organization had less than 50 staff members. Approximately 30% of all staff were people who identified as a person with a disability. These staff members included people with various physical, sensory, intellectual and psycho-social impairments. Organization A provided a range of full-time, part-time and fixed term contract employment opportunities. Employees with disabilities worked in several programs at all levels of the organization, including management.

Staff wages were determined by the Executive Director, the accountant and the Board of Directors. Wages were limited by a compliance agreement with the government with the exception of pay equity. The organization provided pay equity bonuses when the nature of the job, job descriptions and job titles changed for staff members. Some of the employees with disabilities who took part in this study commented that their wages were low in comparison to larger organizations or the private sector. As one of the employees, Monica, said:

⁵ The Human Participants Review Committee (HPRC) is responsible for ensuring that research involving human participants is consistent with the guidelines set by the University and the relevant regulatory authorities.

You know someone with my degree could be hired at [another larger organization] making \$70,000 a year. I don't make \$70,000 but [another larger organization] wouldn't hire me because I'm [disabled]...Now, I'm fortunate that I enjoy the job I do and I'm fortunate that it's flexible...and I can work from home...so there are trade offs.

In recognition of the lower pay rates available to staff, given their budget limitations, the executive director said she rejected a recent pay raise to avoid an increased wage gap between herself and staff.

Vacation pay was available to part-time and contract employees (one year or less) who were entitled to 6% of their earnings in a year. Full-time employees with more than one year of continuous employment were entitled to an annual vacation of three weeks paid at the employee's then current rate of pay. New full-time employees accrued vacation at a rate of 1.25 days per month during the first year of employment. Paid sick leave was provided to all employees. Full-time employees accumulated sick leave on the basis of one day per calendar month of active employment. Sick leave accrued but not used during the calendar year was carried over to subsequent years to a maximum of 52 days and could be used later. In the event an employee left the organization, they were paid for all accumulated sick days. Permanent part-time employees accumulated sick leave on a pro-rated basis equivalent to one day per month. Contract employees accumulated sick leave on the basis of one day per calendar month of active employment. There was no accumulated sick leave payout to time limited (non-renewable) contract employees.

As per the provisions of the Ontario *Employment Standards Act* all employees were eligible to apply for unpaid family medical leave of up to eight weeks to provide care or support

to certain family members for whom a qualified medical practitioner had issued a certificate indicating that the family member had a serious medical condition and was at significant risk of death within a period of 26 weeks. Such leave was considered unpaid, but employees could apply to the Ontario Employment Insurance program for compassionate care benefits.

For organization-related activities, the organization would pay for accessible transportation with pre-authorization by management. Employees using public transportation were reimbursed and mileage was paid to employees who used their own vehicle.

Benefits and a Group RRSP plan were offered to all employees. Benefits were offered to all employees who worked more than 20 hours a week, but the organization would also provide benefits to those who worked less than 20 hours a week if they did not have access to benefits elsewhere. Some employees said the level and coverage of benefits were relatively low in comparison to other organizations but had managed to utilize other benefits through a spouse. A Group RRSP plan was provided to all full-time (including contract) employees following the completion of three months of continuous full-time employment or the equivalent part-time employment based on hours worked. Initially, employee required contributions were based on a minimum set by an asset management company. After two and a half, and five years of continuous full-time employment, or the equivalent part-time employment calculated by the employer, the employee could increase their contribution. Employees were satisfied with the Group RRSP plan. One employee said the plan “is actually quite generous...so that, in some ways, makes up for the poor benefits package.”

Employee performance requirements were developed in a work plan that was developed, understood and agreed upon by the employee and their direct manager. Upon initial employment, each employee and their manager met to discuss the employee’s objectives for the upcoming

year. The employee prepared written objectives in a document for approval by the manager. The executive director gave final approval with any changes. A skills development plan was included with this document. The organization's policy noted that the organization "is committed to the development of its employees and recognizes that through ongoing development and training, employees are better able to assist the organization in achieving its mission."

Employees who wished to take part in a professional development opportunity were required to submit a request in writing to their direct manager. The request had to include a description of the opportunity, how it fit into the employee's overall development plan, the support requested and all relevant costs. Support for professional development could involve flexible work hours or time off (either paid or unpaid); payment for program and/or program materials; reimbursement for travel and accommodation expenses. Organization A encouraged employees to take part in professional development. However, as a small organization there were limited opportunities for career advancement and moving up the "job ladder".

Organization B. Organization B was another small DPO located in an urban area of Southern Ontario. Like Organization A, this organization provided services and supports to individuals with disabilities and had a documented history of employing people with disabilities. The organization was also formed more than 30 years ago and was led by a board whose members include a majority of people who identified as a person with a disability. The organization had less than 50 staff members. Approximately 40% of all staff had identified as a person with a disability. These staff members included people with various physical, sensory, intellectual and psycho-social impairments.

Organization B provide mostly full-time employment as well some part-time and fixed term contract work. Employees and contract staff with disabilities worked in most areas of the

organization performing a variety of tasks and duties. Organization B had a small management team of less than five people, so I did not ask the organization to identify whether any of these individuals identified as disabled to protect management confidentiality.

Employees and management commented that wages available in their organization were lower than wages available doing similar work in the private sector. As one employee, Susan, described:

You know the [non-profit sector] has always been paid lower than the private [sector]...[But] the level of work that I do is really challenging. If I was in a private [organization] doing this kind of work, I'd be paid a whole hell of a lot more but that's just because of the way that [the non-profit sector] works. I don't have private clients. I work for the community. We're community based and therefore my salary reflects that, and I don't have a problem with it.

The organization's core funder provided the bulk of financing for staff wages. The publicly funded agency provided pay equity funding within a set amount of annual total funding. Brett, the executive director, told me, "Regardless of who we employ we get X amount for personnel and we deal with it the way we want to... [We are] trying to create a new way of figuring out fair compensation...it's an issue that's alive and well." Here, Brett identified the pressures to make trade-offs at the administrative level, noting the struggle to provide balance, training and support for employees. These pressures are common among senior managers in Ontario non-profit sector (Van Ymerman & Lalande, 2015).

After three months of employment, permanent employees who worked at least 20 hours a week were enrolled in a medical/dental benefits plan, a life insurance plan and a long-term

disability plan. According to the organization's policies: "Contract employees may be eligible for benefits provided that their contract is at least 1 year, they work at least 20 hours per week and where funding permits." The insurance carrier was chosen by staff as a group. As a staff group, they chose the levels of benefits coverage and whether to choose a plan that would entail staff co-payments. Decisions were made with consideration of the allocated organization funding available.

According to the organization's personnel policy, permanent full-time employees were entitled to 15 sick days per year. Sick leave could be used to care for an employee's self-defined family, including partners, children, parents and other relations. Permanent part-time employees were entitled to sick leave that was pro-rated based on their regularly scheduled hours of work. Sick leave could also be used to attend medical and dental appointments with a caveat stating, "when possible, employees are expected to schedule medical appointments at a time that is least disruptive to the operation of the organization". Unused sick leave could not be carried forward to subsequent years.

Regarding wages and benefits, Brett said: "One of the challenges [at Organization B] is ...generally, the salaries that [we as a non-profit organization] offer aren't competitive when you compare them to [the private sector] ...So we try to show our appreciation to our staff in other ways." Brett commented that the RRSP was designed to balance the relatively low salaries and benefits package. However, the organization was limited by the extent of finances received from their core funder. A Group RRSP was available to permanent and contract employees (provided their contract was at least 1 year, they worked at least 20 hours a week, were replacing existing employees and where funding permitted). The organization funded 5.5% of the employee's actual gross earnings which the organization paid into a Group RRSP on the employee's behalf.

Further, Brett said that the organization aimed to promote and support professional development amongst all staff. Brett said:

We take professional development really seriously. When I started [in this position] we changed it around a little bit, so we now offer opportunities, I'd say weekly, to [all] staff. We've allocated some money for all staff equally and we ask them to manage their allocated amount for the year around the kind of development that they need or want. It's never enough money... So we've figured out creatively, other ways of doing career development... [For example], we ourselves run a training session that we try to do [regularly]. We have speakers come in, and we actually deliver continuing education for [staff].

Like Organization A, Organization B was a small organization with limited opportunities for career advancement and moving up the “job ladder”. As such, the organization permitted employees to take unpaid leaves of absence, for up to two years, to pursue professional and career development opportunities outside the organization.

Organization C. Organization C served people with and without disabilities. It was not a DPO. This organization had a broader mandate of services and supports for individuals and families. Organization C has received formal recognition and awards for diversity and inclusion in the workplace. It was located in an urban area of Southern Ontario and was established more than 50 years ago. This large unionized organization had more than 500 staff members. Approximately 6% of all staff had identified as a person with a disability. These staff members included people with various impairments.

Organization C provided mostly full-time permanent employment, as well as a small

number of part time and casual positions. According to Jamie, an HR representative, Organization C provided mostly full-time employment because of the nature of their required work schedules, the extent of training involved for new and existing employees, as well as the need for relationship development and consistency in support for service users. The organization included a board of directors, an executive team of C-suite positions, directors, managers, supervisors and front-line staff.

Organization C offered higher than average wages for their local geographic area. According to Jamie, the organization determined salaries according to the local cost of living and the nature of the work involved for staff. Jamie said:

Our [salary] rates are on the high side if you look at other employers. There's reasons for that as well given the work that our workers do, we're not talking about the average day for most people. There's a lot of stress.

Individual wages were determined according to the position in the hierarchy of the organization, the employee's education background, and seniority. Wage amounts were also influenced by the government ministry that provide their core funding.

Organization C offered health benefits and a pension plan to all full and part time permanent employees after a three-month probation period of employment. Casual employees were paid 6% of their pay in lieu of benefits. Benefits included medical, paramedical, long and short-term disability, and pharmaceutical coverage. In addition, the organization also provided an additional \$1,000 health spending account to pay for Canada Revenue Agency eligible expenses above benefit plan entitlements. The employees who took part in this study were pleased with the

extent of their benefits package at Organization C. For example, when asked about the health benefits available at Organization C, one employee, Elizabeth, said:

[Our benefits are] amazing. It's more than you could use....and we even have \$1,000 a year on top of our benefits for dental and medical. So, let's say my son had orthodontic work and the agency may cover half of that amount...then there's \$1,000 per family per year that I could use if I sent that invoice again and top up. They'll give me another \$1,000 per year if I spend it on health stuff for my family [or] if I need extra counselling appointments or massages or whatever.

In addition to health benefits, a pension plan was also available to all staff. The plan was managed and controlled by an outside pension fund management company who determined the eligibility criteria, terms and conditions of the plan.

Paid sick leave was provided for all permanent full and part-time employees. All permanent employees were credited on date of hire with five days of sick leave. Sick leave accumulated on the basis of 1.5 days per month to a maximum of 100 working days. The organization's collective agreement on sick leave explicitly encompassed mental and physical illness such that:

Pay for sick leave is granted for the sole and exclusive purpose of protecting employees against loss of income during periods of legitimate illness...In determining eligibility for sick leave hereunder, the Employer shall take into consideration other than purely physical illnesses such as severe stress, anxiety or psychological exhaustion resulting directly from an employee's performance of job duties.

Organization C also had an attendance management program to reduce the impact of illness and/or disability on employee attendance. According to organizational policies, the HR department could enter an employee into the attendance management program when their workplace absence due to paid or unpaid sick leave exceeded the organization's attendance average. The attendance average was defined as the organization's average days absent and average occurrences of sick leave in the previous calendar year. The HR department and the employee's supervisor would monitor and review their attendance in comparison to the organization's attendance average for a period of at least 12 months in an effort to reduce the number of employee absences.

Special consideration was given where the absence from work was a result of a medically substantiated chronic disease (as defined by the World Health Organization) which was deemed to be a disability. This meant that special consideration was granted to employees who provided proper documentation to the HR department to substantiate the absence was related to their disability. Absence for which special consideration was granted was managed through the organization disability management process. This meant that a disability management specialist would maintain contact with employees who were absent from work because of their injury or illness. According to the organization's attendance management program document, "The purpose of this contact is to offer the employee assistance to support their early and safe return to work, and to offer employment accommodation(s) where required."

As a large employer, Organization C had opportunities for career advancement within the organization. Organization C had a succession planning policy which described the organization's commitment to "an organizational development process that links the [organization's] strategic objectives with forecasting, identification, selection and development

of staff. It is committed to developing its employees and the leadership competencies required for [service provision] through succession planning.” According to the policy, succession planning “links performance evaluation, career planning, development and the selection process with the organization’s strategic objectives and service plan. Candidates are identified and developed for future openings in key positions due to lost leadership, new priorities or changing environments.” At the time of this study, Organization C was actively working to increase the diversity of their management team through leadership development for racialized staff and critically examining the questions in their interview format for supervisor and management positions. Organization C also provided internal professional development and training opportunities, as well as financial compensation for external training or development opportunities. New employees received up to six months of training to learn their job. Ongoing voluntary and compulsory training was also available for several organization initiatives, including diversity training.

During interviews at all three organizations, employees with disabilities spoke freely about their work, their successes, their motivations and the challenges they faced. Participants talked about the work involved to obtain employment, namely gaining a post-secondary education, searching for work using various job search websites such as Charity Village, networking with other professionals, and volunteering to gain work experience. Given the focus of the present study, employees focused much of their discussion on the work involved to keep their current job.

To function in their local settings, employees with disabilities needed to engage in several types of work. One type of work was tied to their job descriptions, as described in the above descriptions of employees with disabilities. Other types of work were peripheral and reflected

Smith's generous concept of work (D. E. Smith, 1987). The following chapters turn to the processes that produced and were ordered by the social relations of the institutional process, to actualities that were observable and that employees described.

Chapter Five: A Generous Concept of Work

This chapter points to ways in which employees with disabilities work to fit into environments that were not made for them. It also points to some of the ways in which Organization A, B and C provide inclusive workplaces and positive images around disability and diversity in the NPSS. Beginning from the standpoint of employees with disabilities locates subjects who begin in a material and local world. Beginning from this standpoint shows the different cognitive domains structuring reality which Smith describes as a bifurcation of consciousness; “with a world directly experienced from oneself as center (in the body) on the one hand and a world organized in the abstracted conceptual mode, external to the local and particular places of one’s bodily existence” (D. E. Smith, 1987, p. 84). This chapter delineates how employees entered the conceptual mode of action when they went to work. They followed procedures, processes and social norms within the frame of employment. But like everyone else, they also existed in the body, the place of their sensory organization of immediate experience coordinated around themselves as center. Here there are sights, sounds, textures, smells, and unwellness. These things are known and experienced directly by the person in their body. Employees use what becomes present to them in this place as a means to pass beyond it to the conceptual order. As Smith describes:

This mode of action creates a bifurcation of consciousness, a bifurcation, of course, that is present for all those participating in this mode of action. It establishes two modes of knowing, experiencing and acting - one located in the body and in the space that it occupies and moves into, the other passing beyond it. (D. E. Smith, 1987, p. 82)

The following sections reflect on this bifurcation of consciousness as a perennial feature of the work experiences of participating employees with disabilities. In this way, the work and practical reasoning of individual employees and the locally accomplished order that is the product of their labour, is an expression of the non-local relations of the professional and bureaucratic discourse of employment in the NPSS. While most employees described positive experiences working in their various organizations, they also described the challenges of fitting into a labour market that was not designed for them. Some of these challenges were associated with the work of being disabled.

The Work of Being Disabled

Deveau (2008) describes “the work of being disabled” as:

A demanding, time-consuming, and never-ending job. It is a transformation process which involves continually invalidating one's self and validating the social and physical environments created for, and by, the able-bodied and normality itself. And since disability is perceived as being an individualized problem, we are expected to do this unpaid "work" in order to overcome that intrinsic flaw in our personhood—that "thing" called disability. (p. 153)

Employees with disabilities described the mental, physical and emotional work related to being disabled in the workplace. For example, several employees with non-evident disabilities talked about the work involved in considering their disclosure of disability at their workplace.

Employees described this work to be more or less effort depending on the support of supervisors. These employees described their efforts to discern or uncover supervisors' and co-workers' likely reactions to disclosure and/or requests for accommodation.

Previous research indicates that supervisor and co-worker attitudes have a significant impact on the work experiences of people with disabilities (Schur, Kruse, & Blanck, 2005; Schur, Kruse, Blasi, & Blanck, 2009; D. L. Stone & Colella, 1996). Attitudes affect the socialization and abilities of employees with disabilities to become fully accepted and well functioning insiders. For instance, Faith described her concern about her supervisor's reactions to requests for accommodation:

Today for example I [sent an accommodation request to my supervisor] ...And I thought 'Will that affect us?' And I went to her office shortly awhile after, asked her a few questions, had a joke or two, we laughed, and I thought 'Good it didn't.' That's where I felt relief that they don't go beyond the accommodation request. We deal with it...but they [management] still see me as an equal. What I worry about isn't really there.

This excerpt points to Faith's efforts to first, request an accommodation, then choose who she sent her request to, and then await a response back. When she did not receive an immediate response, she began to worry. This began a process of contemplation and a sense of distress. Faith thought carefully about the several ways in which her supervisor may react to her request. She considered the ways in which her accommodation request could potentially injure her relationship with her supervisor and decided to make a personal visit to her supervisor's office to avoid such injury. Faith was partly aware that management still saw her as an equal and that her worry was unfounded. Yet, Faith was also aware that her requests for accommodation may not be welcomed. She appeared to want to believe that her requests were unproblematic for her supervisor and yet carried a sense that it was a potential problem.

While Faith had disclosed her disability to her employer and was accommodated in her workplace, she told me that some of her co-workers reacted negatively to her requests for accommodations when she required them to alter some of their behaviours and share job tasks. As a result, Faith said she would disclose her disability only to those she worked most closely, such as her supervisor and the executive director. She said that in the past she told all her co-workers about the nature of her disability but had since changed her mind and behaviours. She did this to protect her privacy and prevent co-worker “retaliation” in the form of “giving the cold shoulder, not talking to me, treating me different but not in a good way” when she made accommodation requests. This experience will be discussed further in the sections on workplace accommodations.

Employees with disabilities at Organization C described much variance in supervisor and co-worker attitudes, and the level of social and emotional support they received at work. Several employees commented that the level of social, emotional and practical support they felt at work depended on the personality characteristics of their direct supervisor.

In response to these concerns from all staff with and without disabilities, the organization had introduced a supervision model to standardize and improve relationships between staff and management. Anna described this model from her standpoint as an employee with a disability:

I mean they brought in this new supervision model where you’re supposed to build this more personal rapport with your supervisor where you can talk about the more personal stuff. But we’re in an environment where people don’t trust many of their supervisors. You have good rapport with some and not with others. You have some very unhealthy people in the role of supervisor...and you can’t necessarily trust that what you’re saying

to them about who you are, what you're coming with, what issues you're having within the job, is safe...So it can't be forced upon a worker to disclose anything because if you're not safe with your supervisor are you going to be at that personal level with them, talking about how you're feeling? Not if you don't feel safe; and what protection is there for a worker to know their supervisor is not going to use this against them? There are many controlling people in the role of supervisor who shouldn't be in the role of supervisor. I've had some phenomenal supervisors in this [organization]. Unfortunately, I've also had a couple who've been horrendous.

Anna and a few other employees referenced the supervision model with criticism or indifference. From an HR perspective, Jamie said that the model "could work well [in the organization] but...it's a clinical model and the piece that's missing is how to tell people, without tearing them down, about where they need to improve". Jamie said the HR department was working to revise performance management processes to foster more positive relationships between staff and management. This approach recognized that supervisor attitudes can affect performance expectations and evaluations, particularly for staff with disabilities (Schur et al., 2005). According to Schur et al. (2005), negative attitudes can cause employees with disabilities to feel alienated and isolated. Employees may also become advocates for inclusion.

Anna described how she advocated for the inclusion of diverse workers in the organization's equity and diversity committees. While she believed this work was necessary to promote greater inclusion, she also worried about the consequences of her advocacy in the organization. Anna said:

I am a strong advocate, but I sit there and panic as I say these things [in meetings with management] because I think what's going to happen to me in my position? Like I say it but I'm blushing, I'm shaking... [For instance], I've applied for jobs [within the organization] and not got them; and [I wonder] if that's because of me not having the skills? Is it because of me; and maybe it's known out there that I've had leaves of absence from work for health reasons? Is it because I'm a strong advocate and people don't want strong advocates on the team? I don't know... You're told that you don't make the cut. You didn't get as many points in the interview as others have. But is that the case?

Anna suggested her experiences reflected broader organizational challenges that could be identified by speaking with a union representative. Alex shared the union's perspectives on the supervision model and support for employees with disabilities at Organization C. Alex commented that the supervision model "does not go far enough" to train supervisors to gain "emotional intelligence". Alex questioned the organization's criteria for evaluating the capacities and performance of supervisors and suggested that these criteria should be modified to place greater value on capacities to provide social and emotional support to staff.

Based on interviews with staff at Organization C, the supervision model document was analyzed for the present study. This model was created externally. The model defined the values and principles of supervision, and broke it down into discrete categories of structure, elements and processes. According to the document describing the model, "good supervision" was defined as that which contributed to "the way organizations ensure the achievement of high quality provision and consistent outcomes for those who use their services". To ensure the success of the

model, “supervisees must be given the information, preparation and tools to become full partners in the process. A training program for supervisees will enhance their capacity to make maximum use of the supervision process”. Thus, this model required efforts by staff to learn about and adapt to the model through training so as to become “partners” in the supervision process. However, the supervision model was an objective conceptual framework imposed upon the subjective, emotional embodied experiences of staff and supervisors.

Smith argues that in capitalist society, there is an increasing emergence of “an abstracted conceptual mode of organization in which organizing functions become a) differentiated as a distinct system of functions – whether as administration, management, or aspects of professional organization; b) primarily communicative and informational...c) dependent increasingly on a second hand knowledge organized conceptually as ‘facts’, ‘information’, and so on; d) dependent increasingly on generalized systems of planning in the same mode” (D. E. Smith, 1987, p. 75). Further, Stone and Colella (1996) suggest that bureaucratic values associated with equity, standardization, impersonality, and separation of job and job holder, may place people with disabilities at a disadvantage if they are unable to comply with inflexible rules and procedures (e.g., a standard supervision model). These authors further note that a bureaucratic system (like the structure of Organization C) is often based on an equity value system that pits fairness of treatment for all employees against the personalized consideration of individuals’ needs. This could lead to resentment of individualized treatment of employees with disabilities than what exists in more flexible non-bureaucratic environments.

A few other employees who had chosen not to disclose their disability at Organization C, talked about the work associated with ‘passing’ in the workplace. Irving Goffman first coined the term ‘passing’ to describe “the management of undisclosed discrediting information about self”

in the presence of others (Goffman, 1963, p. 42). Employees with non-evident disabilities described the work involved to decide whether to display or not, the symptoms of their impairment(s); to disclose or not, their diagnosis or disability status, as well to whom, how and when this disclosure may be appropriate. For example, Tracy told me that she had not disclosed her disability to her employer. She did not request accommodations when she interviewed for her position, nor when she was hired and began working at her job despite a need for work adaptations. Tracy told me that she did not disclose because “I know the reality...in terms of employment and accessibility”. Tracy said:

[Most employers] will say in their policy they're inclusive and accessible...[But] I know [from an HR perspective] if I say I need this, I need that...it also means 'she needs a lot'. So, I'm mindful...But again that's just something that you navigate, you cope with...So I know these things. As a [former] counsellor, I'm able to implement the same skills that I would use with my clients to survive my job.

Here, Tracy described how she used the skills she gained through experience working in the NPSS to support herself in her current job without disclosing or requesting accommodation. Later in the interview, Tracy also described how she did not trust the organization to accommodate her needs because staff in other departments did not look like her. She said, “I can't even identify a staff with a visible disability. Not one out of [several] different work sites. Which says to me, how accessible are we? And for whom?” She also argued, “I don't feel that I should have to disclose my needs before you [Organization C] meet them. That should already be accessible. I should be able to say I need that and just be able to claim what I need.” Tracy intentionally concealed information about her real social identity, and so received treatment

based on false suppositions concerning herself (i.e., no workplace accommodations were put into place).

Regardless of whether they had disclosed or not disclosed their disability, several employees described the efforts involved to keep their bodies work-ready. In many instances, this involved going to appointments with psychiatrists, counsellors, naturopaths and other health care specialists. Notably, Organization B provided staff with paid sick leave to attend medical appointments, with a caveat that “when possible, appointments should be scheduled at a time that is least disruptive to the organization”. However, Susan commented that Organization B was “very creative in thinking about ways that I could do my job, whether it was working at home a couple of days a week...[or] getting time off for medical appointments. Whatever it was I needed, [the organization] accommodated”.⁶ Susan commented that Organization B provided the support she needed to do the work of being disabled and the work of her job. This is an important consideration because, as Deveau (2008) points out:

Whereas most able-bodied people can re-schedule their relatively infrequent appointments with doctors and other health care specialists when these appointments conflict with work assignments, people with disabilities cannot readily do so without compromising their abilities to perform at their jobs. (p. 155)

Without these regular encounters with health care providers, many disabled workers would be unable to fit into capitalist systems of production that have been designed for people without disabilities.

⁶ Organization A and C provide health benefits for staff to access various health and paramedical services but do not pay provide paid time to attend medical appointments.

Other employees said that their level of energy was affected by their impairment and would limit their participation in social activities to save energy for their job. To function in the workplace, Jane subordinated her embodied disability to prioritize her productivity at work. After returning to work from a disability-related leave of absence, Jane was offered an additional 30-minute break during her work day as part of her accommodation plan. She did not take the extra time. Here is an excerpt from our conversation:

Jane: I tried taking the extra half hour for a short period of time...but then I didn't take the time.

Me: Why not?

Jane: It's probably a fault or weakness on my part...I'm just really hard on myself...Like I just don't want to be disabled. I just want to keep doing the work [at my job].

Me: How are you managing without the extra break time?

Jane: Well it was really hard. Actually, it's still hard. I think what shifted in the last month or so is that I've got better at the work itself. So, I've kind of hit a bit of a turning point in terms of being able to fill my competency and that's kind of carried me along. So, I've been able to function a lot better at work.

Me: Does your disability affect you at work?

Jane: It's still impacting me but it's not inhibiting my ability to do the job. But I would say honestly that I'm still getting a lot of symptoms. Like when I go home I can't really function. Like I can't really do anything in the evenings or anything. So, it's still really affecting me.

Jane's response reflects the emphasis on productivity in the new public management of the NPSS. As Baines (2006a) described, social service agencies have introduced measures that quantify the activities and output of front-line workers to justify the use of public funds, and eliminate waste. Baines suggests that these measures reflect the principles of new public management that mirror market forms and priorities to give a modicum of public accountability.

Similar to the retail world, in order to meet NPM [new public management] target numbers in the social services managers are charged with coaching social service workers to emulate practices that generate the lowest cost figures and the highest numbers of processed cases. (Baines, 2006a, p. 201)

As Baines suggested, individual workers are often given stringent quantitative performance which is often applied with little regard to the complexity of individual service users and workers. Baines also suggested that:

Ironically, rather than reflecting existing or enhanced social work practice, some of the new benchmarks and best practices used within the social services sector reflect the resistance of workers who have consciously lowered their performance in order to leverage more time and resources in order to perform their jobs in ways that reflect social solidarity, rather than narrow quantification and constraint. Thanks, in part, to this resistance, the quantitative metrics have not fully succeeded in boosting "productivity" or "accountability," even by their own ideologically biased criteria. (p. 196)

Nonetheless, Jane wanted to approximate the ideal worker to keep her position in a job that she enjoyed. Although she was a full-time permanent employee in a unionized environment at Organization C, Jane also expressed fear of being viewed as incompetent or losing her current position and moving back to a department that she did not want to work in. Her concerns about job loss reflect an overarching perception among workers in the labour market that they are replaceable. Dlamini, Anucha and Wolfe (2012) have examined the ways in which the Canadian political economy now includes previously excluded workers (e.g., immigrant and Canadian-born women, people with disabilities, etc.). They argue that the public and private spheres have collapsed to serve capitalist needs such that employers have reorganized work processes to discipline labour to maintain levels of profitability or efficiency. Job security is frequently threatened by breaking the strength of unions, producing technological innovations that replace workers or finding alternative sources of labour (Dlamini et al., 2012).

This excerpt of Jane's interview illustrates her efforts to overcome her perceived individualized disability related limitations in order to be effective at her job. In another study about disability and employment in Ontario, Wilton found that "To varying degrees workers [with disabilities] internalize understandings of what constitutes an appropriate performance in a work environment and normalize their own behaviour accordingly" (Wilton, 2008, p. 370).

Similarly, Faith said:

I have such high pain tolerance and I tolerate a lot to get to work because of my disability... So, when I come into the office I try to be really positive for myself [because] its important for my health and for feeling better. I try to be positive, and cheery...I push myself maybe a little too much. I'm not understanding my body and to be

honest I don't want to give in to my body. I don't want [my impairment] winning. And I know people who have done that where they've given in to the [impairment] and I don't want to. That's why I try to stay positive and fight it. Some days I'm completely wiped, but that's usually my evenings so I don't have a social life...I used to [have hobbies in the community] and I had to give it up because I need to have my energy for work.

Here, Faith described the separation of her two modes of being – one being who is positive and cheery at work – and another who is exhausted and limited at home. This bifurcation of consciousness, as Smith described, can present as tensions and stresses created by having to coordinate one's passage from one mode of being to the other (Smith, 1987). Jane and Faith talked about pushing past their image of what it means to be disabled, moving from the local realm of the home where they embodied disability, to the extra local realm of the workplace where they disguised. Jane and Faith expressed a split of their consciousness into two ways of being, in order to establish themselves as knowledgeable and competent employees within the workplace.

These examples also demonstrated forms of dramaturgical actions in the presentation of self (Goffman, 1959) and emotion work (Hochschild, 1979a, 1983) which will be discussed next.

Emotion Work

Hochschild's foundational study of emotion work and labour argued that the self-management of emotion can, just as physical labour, entail conscious effort and hard work (Hochschild, 1979b). Previous research has shown that positive affective displays in service interactions, such as smiling and conveying friendliness, are positively associated with perceptions of overall service quality and a job well done (Grandey, 2003). However, service

providers do not always feel positive and may engage in surface or deep acting to produce their affective displays (Grandey, 2003; Hochschild, 1983). Deep acting is an attempt to modify inner feelings to match required outward affective displays of emotion. In surface acting, employees modify their affective displays by faking or painting on an emotion that does not reflect their inner feelings. Both forms of acting are internally false and involve effort. Frontline service employees are typically expected to express positive emotions as opposed to anger or neutrality (Grandey, 2003). The prevalence of acting in service roles is not surprising, given the ubiquity of display rules and “the fact that even service agents who identify strongly with their role will not always feel precisely what is expected of them” (Ashforth & Tomiuk, 2000, p. 189). Jane and Faith engaged in surface and deep acting to convey themselves as competent, energetic and positive feeling workers.

Sometimes acting was not necessary for some employees. As a relatively new employee at Organization A, Deidre said:

Well it might sound cliché to say this, but I actually work with a great bunch of people. You know of course everyone seems really nice when you first start a job...but now that I'm past the three-month probation period, I think I'm really fortunate [to be working here] ...It comes back to what some of the benefits are of working outside of just making a great salary. One of them being working with people who are supportive...and I think that's a reflection of the philosophy of the organization and their ability to hire 'the right people'...who are a good fit for the philosophy they promote, and that they work under and provide service within.

Here, Deidre suggested that the support of her supervisors and co-workers was related to the fit between employees and the organization. Good person-job fit may lessen the extent to which surface or deep acting is needed in general (Grandey, 2003) and implies greater authenticity at work. According to Grandey (2003), previous research suggests that those with high job satisfaction, as Deidre expressed in her interview, perceive higher person-job fit and are more likely to have authentically positive moods and emotions at work. Research on relations between individuals and the organizations they belong to, shows that congruence between personal characteristics and organizational values can be an important determining factor in an individual's overall success in their job, including performance and satisfaction (Chatman, 1991; Spataro, 2005).

At Organization C, Elizabeth told me that she expressed emotions of sadness in the workplace, but only in the "safe base" of her supervisor's office. Elizabeth described her appreciation for her supervisor's acceptance of such affective displays, such that:

I can go in that office [pointing to her supervisor's office next door] and cry some days...It's the kind of thing where it's embarrassing to cry but I'm a very sensitive person and I know its OK in there [pointing to her supervisor's office]. And she told me one day that she talked to another supervisor who said they don't keep Kleenex in their office because there's no crying in baseball or whatever the phrase is. So, you know it's like 'you're a professional and you're paid to be here and not cry in the office'... But I feel like when I'm here, I'm on and I get the work done and she [my supervisor] knows that my work is as quality as anybody else's and that I carry my weight.

Elizabeth rationalized her expressions of sadness because she also “gets the work done”. She described how she actively chose and calculated her expression of emotion according to the implicit ‘feeling rules’ of the organization such that “you’re paid to be here and not cry in the office” (Hochschild, 1979b). At work, she believed her feelings of sadness and sensitivity had no place, except in the sanctity of her supervisor’s office. Her motives, methods and emotional expressions were organized by the formal rationality structuring her work role. As Smith (1987) notes:

Rationality is a normative practice organizing and prescribing determinate modes of action within the bureaucratic or professional form. Responses that do not conform to these modes of action, by virtue of how they are excluded from these domains, are constituted residually as a distinct mode of response and being. (p. 65)

Employees described that in their work, their feelings of empathy for others and passion for social justice contributed to their enjoyment of their employment experience. They have chosen to work in the NPSS as an expression of those feelings. Previous research on the NPSS suggests that “many social service workers strongly embrace an ethic of social caring” which is why “they continue to work in a sector in which hours of work are long and demanding, the work is generally very stressful, and wages [are relatively] low” (Baines, 2006b, p. 196). These experiences also reflect previous research suggesting that those with high job satisfaction perceive higher person-job fit and are more likely to have positive moods and emotions at work (Brief, 1998; C. D. Fisher, 2000).

However, there are implicit rules about the professional form, such that feelings of

sadness or fragility are excluded from the domain of the workplace. These rules can alienate employees from their true emotions and can deplete cognitive and energy resources. To function at work, service sector employees may follow a script that includes display rules about acceptable and proscribed emotional expressions. For instance, employees can be expected to display a positive attitude, regardless of circumstances (Grandey, 2003).

These display rules may be well intentioned for the benefit of employees and the organization. Jamie, the HR representative at Organization C, said she envisioned a workplace where:

Everyone comes to work and is generally happy...I think it's really important to be focused while you're here and focused while you're at home and not have a lot of overlap in that. That I find is really important in this work we do because so often people take that home and then it affects their home life and then their home life affects their work life. So, I really just want everyone to be as happy as they can be while they're at work and that things be pleasant and generally OK. You know there's the bell curve, there's going to be good days and bad days but the bulk of it should be in the middle. So the rules and all the legislation around that and how we do that forms the foundation of how we work. The customers here that we have are either our employees, our management that we work with to bring employees in or people outside of the organization are our customers as well. So, customer service is a focus for me.

Jamie described that she wanted employees to want to work at Organization C because they are respected for their knowledge and are treated and paid well. Jamie was working to foster a workplace atmosphere that was empathetic and "genuinely kind and invested" in employee well-

being. Jamie's reference to "customer service" also reflects one of the principles of new public management.

Expressing emotions safely and usefully without interrupting the mode of production is a problem under new public management and, more generally, under capitalism (James, 1989; D. E. Smith, 1987; Wilton, 2008). At Organization C, one employee, Anna, pointed to some of the ways that emotions interfere with capitalist/neoliberal priorities and the ways in which the organization structured emotions in the workplace. She positively described the increased recognition of psychological health and safety issues in the workplace⁷ (Braedley, Owusu, Przednowek, & Armstrong, 2017; Dollard & Bakker, 2010; Kunyk et al., 2016), but critically commented that these issues are often undocumented and managed through informal processes of peer support. Her participation in workplace safety issues revealed to her that physical trauma or injury was documented using a specific accident reporting form, whereas psychological trauma and injury was not. Anna described how she and her co-workers experienced frequent psychological trauma at work, given the stressful nature and responsibilities of their jobs. She also commented that these experiences are:

A battle for the organization because I think you when start documenting, start having complaints in regard to psychological un-wellness and people going off on leaves due to that, you can have WSIB [Workplace Safety and Insurance Board] claims if it can be related to the work at the organization which means higher premiums. So, let's keep it quiet. Let's not really have it out in the open. Let's have volunteer support and see the necessity for peer support.

⁷ See also: <https://www.guardingmindsatwork.ca/info/index>

Indeed, according to the WSIB's Operational Policy on Traumatic Mental Stress: "A worker is entitled to benefits for traumatic mental stress that is an acute reaction to a sudden and unexpected traumatic event arising out of and in the course of employment" (WSIB Ontario, 2016, p. 1). Anna went on to describe how Organization C created a peer support team to promote and structure support for traumatic mental stress. The peer support team was a group of volunteer managers and staff who facilitated debriefing sessions after situations that were potentially traumatic for staff. The sessions were intended to educate staff about signs of trauma and appropriate communication about that trauma. There was an onus of responsibility on the manager to contact the peer support team if they felt a worker had been exposed to a traumatic event. The worker then had a choice whether to accept peer support or not.

The introduction of peer support and self-care at work can be especially important for workers in the social service sector to prevent burnout, physical or mental health problems or making mistakes that could harm others, such as service users. However, this form of care can also be more about forcing oneself into compliance with dehumanizing and traumatic situations (Miri, 2016). There is no engagement in questions of how workplace policies, procedures and practices create stressful or potentially traumatic circumstances. Moreover, the expectation is for those who experience trauma to learn how to adapt themselves, so they can fit into a workforce designed for the able-bodied and non-distressed.

Jamie recognized these tensions at Organization C and in the broader NPSS. Jamie said that Organization C and other local service providing organizations did not yet know how to manage and support psychological trauma in the workplace. Jamie described:

A lot of people still don't understand [employee] mental health to the full scope. They don't understand why you can't just pull up your socks and get back to work. That old school thinking around mental health. I think that happens not too often, but it is something that is really challenging to deal with...For us, we definitely deal with it through conversations...We're really looking at PTSD [Post-traumatic stress disorder] in the workplace, and how do we deal?... How do we support workers? How do we support supervisors in dealing with employees who might be in the early stages of mental health issues because of the work we do, remembering that that work we do is very draining? We have a peer support team and we have EAP [Employee Assistance Programs], we have all these things, but supervisors are those first people or early responders and how do we get into some of that responding stuff to prevent something that becomes PTSD or depression or anxiety?

While Jamie was working with her HR team to implement better supports for workers, Anna pointed out that the peer support model did not recognize the organization's responsibility for trauma exposure. Despite the development of the peer support team, Anna said:

Everyone [at work] forgets to be human. The humaneness is forgotten...It just riles me up because we're social workers and you'd think that because we're social workers we would be skilled as far as how to work with people.

Anna said that she worked with some supervisors who did not adequately protect or emotionally support workers from sudden exposure to trauma, such as the death of a service user. She suggested that an emphasis on peer support in the organization shifted the responsibility for

psychological well-being onto individual workers, rather than the collective responsibility of the organization. She suggested that the peer support model avoided discussion of structural management issues that contributed to trauma exposure and the potential for subsequent mental distress. Similarly, Miri (2016) argues that employers are using various forms of self-care as a distraction from the care they are failing to provide to their employees.

The following section describes the benefits of employing people with disabilities in the NPSS. This section identifies strategies that have been utilized to provide inclusive workplaces and positive images around disability and diversity at Organization A, B and C. According to participants in this study, the inclusion of social service workers with disabilities can change some beliefs and attitudes about the skills, abilities and contributions of people with disabilities. These examples can also be understood as the result of the social relations between managers, co-workers, and the work environment.

The Benefits of Employing People with Disabilities

To explain how and why the NPSS can be a potential site for inclusive employment, the present study included employees and senior leaders who talked about the benefits of employing people with disabilities in their organizations. Senior leaders said that employing people with disabilities in their organization helped them achieve their mission. The employment of people with disabilities helped them to align their workplace practices with their service ideology and reflect the diversity of the communities that they serve.

According to senior leaders, employing people with disabilities also employed their knowledge, experiences, interests and perspectives in the work of the organization. Employment opened up the opportunity for disability to become part of the systematic knowledge and techniques of the profession. At Organization B, Brett said:

We promote inclusive community, societies, workspaces, schools, this is what we do day to day. So, we want to make sure that we model that as well... There's so many reasons why any workplace would want this type of diversity. I think for us there's a couple things... It's really important for [our organization] to take a leadership role in developing, mentoring, and creating an environment where we have more [staff] that identify with a disability... I can think of some disabilities specifically related to health and learning disabilities, [where] there's so much stigma. There's so many layers of discrimination that occur within this profession... The flip side is [about] access... [and there is an] argument [for hiring staff] that understand accommodation with regard for [our service users]. So, there's the [staff] dynamic, but there's also the [service user] dynamic. We get a lot of calls [for assistance] from [service users] who feel that [some service providing organizations] don't know how to accommodate their needs. [Some other service providers] don't communicate with [these service users] in an accommodating manner. So, you know, there's a lot of benefits to [employing people with disabilities].

As a DPO, Brett viewed Organization B as a vehicle for mutual support and solidarity (Enns, n.d.). Similarly, employees with disabilities who worked at Organization A and B said that working at a DPO gave them a sense of a common purpose, that of promoting their rights to live and work as dignified, respected, subjective citizens in all aspects of society, including at work.

With support from senior leaders at Organization B, Susan said she felt a mutual acceptance and understanding of the embodied experiences of disability at work. The work of being disabled (e.g., going to medical/paramedical appointments; taking time off to rest and gain

energy for their jobs) was recognized, supported and incorporated into the structure and functioning of the workplace. Susan said:

When people take time off [for reasons related to a disability] nobody thinks anything of it. It's just an accepted way of working that isn't questioned by any of my colleagues. We all know that there are a number of us that have a variety of different disabilities and people get the supports that they need in order to be able to [do their job] ...And that's what makes this place work. We have lived experience in a way that makes us better advocates for people who also have lived experience.

Susan also said that knowing her co-workers identified as people had disabilities made it more comfortable for her to disclose her disability status to her employer. Susan suggested that a workplace that demonstrates inclusion of people with disabilities encourages employees to disclose and, in turn, opens up the opportunity to discuss accommodations and support for workers to be productive and effective in their jobs. These individual discussions contribute to a dialogue that supports the work of the organization when employees and management are supporting each other to meet their mutual interests and goals. Susan said:

Working with others who have disabilities has made it much more comfortable for me to [disclose and] just say 'this is something that you should know about me' ...So I think the uniqueness of [Organization B] is having a majority of Board members who themselves are persons with disability, and having staff members who themselves are persons with disabilities, doesn't make disability in any way a secret stigmatizing thing that in other workplaces you might not want to disclose until something happens...In my experience

in other places where you don't disclose you have a disability, it becomes a performance issue. If you're missing way too much time or you're coming in late, you're coming in hungover, you're coming in smelling of alcohol, if you don't self-identify, I have an obligation to talk with you about it and I will but if you don't want to discuss it there's not a lot that I can do. And so, I'd rather be upfront at the beginning and I think that's how all of us at [Organization B] feel. We're not uncomfortable because we know that our Board of Directors will understand, our colleagues will understand, our executive director understands, and so it's just a natural fit to do. And it also makes you feel more a part of the community.

Susan chose to disclose her disability at her job interview, even though she knew she was not required to do so. She said that the hiring committee thanked her for her disclosure and (reiterating comments from the committee) said: "Given we're an organization that works with people with disabilities, we think it's important for us to know that you yourself are a person with a disability". Susan also suggested that management fostered a welcoming feeling for staff. Brett said:

One of the things we do is from the beginning, from that first phone call to candidates, we put it out there, you know 'Is there any accommodations that you require?' that kind of stuff. I think by including that in our dialogue and all of our correspondence, in our initial interview, it already puts it out there that we want to make sure that people know that it's a safe environment to talk about disability and accommodation. I think that sends a really important signal from the outset.

This approach was articulated in the organization's Anti-Ableism policy which aligned service and workplace practices. The policy stated that the organization was committed to "addressing communications, policies and practices in the workplace and in the delivery of services that are based on differential attitudes toward persons who identify as having disabilities". It also stated that implementation of the Anti-Ableism policy was to be reviewed for feedback from the board, management, staff and service users.

Further, managers at Organization B placed explicit value on disability status during the hiring process. Brett said:

[During] the hiring [process], disability is a really important aspect...we used to have this old rubric where we'd give values, like a point system [during interviews and] disability was...10 points or whatever if somebody identified as a person with a disability [just given what we do] ...Disability is a really important factor. So, if we needed a tie breaker, that would certainly be a tie breaker.

Given that the organization supported people with disabilities, job candidates with disabilities were rated positively because their individual experiences were considered a potential contribution to the organization's goals. Thus, disability status served as a basis for evaluation. The organization's values shaped the hiring evaluation process, which determined the salience and potential consequences of candidates' disability status. As Susan described in her experiences at Organization B, expectations about individuals' contributions developed around the valued characteristic of disability in the organization which shaped her social interactions. In this way, Susan described the benefits of working in an organization that fostered a form of

disability culture.

The concept of ‘disability culture’ captures the idea that people with lived experiences of disability in general, and disability discrimination in particular, share some cultural reference points. The concept also recognizes that disability justice movements and disability rights movements are social and cultural in nature, and that collectively, these movements may produce new ‘cultures’ or ways of understanding and being in the world.

In an early articulation of disability culture, Steven Brown (2002) notes that disability culture is in part a response to a history of oppression of disabled people, long described as “invalid, impaired, limited, crippled” (p. 35). Disability culture reclaims disability identity with pride, empowerment and awareness.

For years we have discussed integration like it was our business to fit in with mainstream society. As we become more aware of our own unique gifts some of us have also become more convinced that this is a backwards perspective. It is absolutely not our job to fit into mainstream society. Rather it is our destiny to demonstrate to mainstream society that it is to their benefit to figure out that we come attached to our wheelchairs, our ventilators, our canes, our hearing aids, etc. and to receive the benefit of our knowledge and experience mainstream society needs to figure not how we fit in, but how we can be of benefit exactly the way we are. (S. Brown, 2002, p. 48)

This articulation considers how people with disabilities fit into and experience environments that were not made for them. The present study builds on this articulation in consideration of how workplaces can value interdependence over independence and diversity over sameness.

Disability culture is the difference between being alone, isolated, and individualized, and being

in community (Buettgen & Gorman, forthcoming; Kupperts, 2011).

From the standpoint of a person with disability, most employees who participated in this study worked to promote better access to social services and positive social change for service users. With appropriate, flexible support and accommodation, employees said they enjoyed serving other individuals, families and the community. Their jobs provided them with the opportunity to contribute to society. Thus, when organizations offer people a variety of flexible employment options, the result can be the empowerment of those who have traditionally been barred from a chance to function at their individual and societal best (Cohen et al., 2008).

Katie, an employee at Organization A, said that in comparison to her experiences working in the private sector:

It's way more comfortable here. People are much nicer. It's a lot less cutthroat. Like you don't feel like your competing with other employees for benefits or hours... You can collaborate but its not like my co-worker and I are handed a list to see what we can do the fastest.

Katie said that she did not disclose her disability to her previous employers in the private for-profit sector because she did not feel that she would be accepted as a person with a disability in the workplace. This excerpt reflects how Katie's experience was hooked into Organization A's structure and reward system. Organization A fostered cooperative task interaction which avoided competition and increased friendship between members of different groups (D. L. Stone & Colella, 1996). Stone and Colella (1996) suggest that the competitiveness of a reward system will influence expectancies and affective responses to employees with disabilities. Katie's experience holds Stone and Colella's prediction that competitive reward systems have a negative

effect on expectancies and affective responses to employees with disabilities in organizations.

Katie also said that since she started working at Organization A, Quinn, one of the directors, would “check in with me about once a week to see how things are going and if I’m happy and if I feel like I’m being trained well or if I feel there are any gaps.” These positive supervisor and co-worker attitudes toward employees with disabilities were influenced by the organizational structure, which include senior leaders with disabilities, and the level of comfort in being around people with disabilities (D. L. Stone & Colella, 1996). As Quinn commented, “I have a disability as do a good portion of my colleagues and it’s just not that big of a deal”. Sarah, the executive director at Organization A, explained how these attitudes were fostered in the workplace. Sarah said that management aimed to foster a workplace values that aligned with their service philosophy. Sarah said that the organization is guided by a set of principles such that:

People with disabilities are the experts on their own needs, so if you believe that for the people you serve then you believe that for your employees as well...It’s not really a great distance to do that stuff...If we have principles that apply to the people we serve why wouldn’t those same principles apply to ourselves?

This service philosophy permeated into the work environment and was lived through mostly informal actions between staff and management. Collaborative work processes encouraged employees from different departments to work together to meet the various needs of service users. Like Organization B, Organization A placed positive value on disability status. Senior leaders and board members were themselves persons with disabilities. As such, the demographic profiles of the influential people in the organization were viewed as ideal or at least preferential,

as they are associated with leadership and success in the organization.

Many employees across all three organizations described their passion and commitment toward their organization's mission. Employees with disabilities described how they brought intimate knowledge and awareness of the subjective everyday experience of disability into the workplace. Their subjective experiences flowed into their interactions with service users. For instance, Katie said:

Everyone [at Organization A] is really passionate and committed [to their work]. Most of the employees have a disability...and I think it makes a difference in the way services are delivered and people's perception of disability...Because we don't act like social workers. We don't look at people like they're just a case file, [and] just make a list or plan of action and then check them off the list. We understand a little bit more of the intricacies of negotiating life with a disability...And we don't get caught up in the minutia.

Here, Katie talked about how employees with disabilities carried their subjectivity through to services users via their personal everyday experiences of "negotiating life with a disability". She suggested that most "social workers" (i.e., non-disabled workers) may objectify service users as "just a case file", or another thing to "check off the list" of daily tasks at work. She suggested that disabled social service workers act differently than other social workers. She alluded to a stereotypical image of what a social worker looks and acts like. Katie's comments reflected Young's (1990) critique of neoliberalism such that:

Being a dependent in our society implies being legitimately subject to the often arbitrary and invasive authority of social service providers and other public and private administrators, who enforce rules with which the marginal must comply, and otherwise exercise power over the conditions of their lives. In meeting needs of the marginalized, often with the aid of social scientific disciplines, welfare agencies also construct the needs themselves. Medical and social service professionals know what is good for those they serve, and the marginals and dependents themselves do not have the right to claim to know what is good for them. (Fraser, 1987; Ferguson, 1984, cited in Young, 1990, p. 54).

Alex, a union representative at Organization C, similarly commented that employees with disabilities re-present this image of a social worker. Alex said, “[Employing people with disabilities] challenges our own workforce and people who believe that a social worker looks like this, behaves like this, is abled like this”. He said that employing workers with disabilities breaks up the stereotypical image of a social service worker (as white, middle class, female and non-disabled):

So, when you hear service users say ‘You don’t look like a social worker...It makes us question what a social worker is. We don’t see [in our image] a worker who has a visible disability...So our workforce grows [by employing people with disabilities] and [becomes more] open.

Thus, Alex described that the employment of disabled social service workers, interacting with the community, disrupted and created new images of disability and social worker. Historically,

non-profit service providing organizations have held significant power over individuals with disabilities. The views of people with disabilities have been largely filtered through the voices of non-disabled service providers, professionals working in the area of disability and family members (Oliver, 1990b). Participants from this study suggested that organizations with a considerable number of staff with disabilities can assist people with disabilities to have a voice of their own, identify needs, express views on priorities, critically evaluate service provision and advocate for change and public awareness. As Alex suggested, “The benefit is what we can learn from people with disabilities to better the service that we provide to everyone in the community who may have a disability.” Organization C is engaged in ongoing efforts to employ people that reflect the diversity of the communities they serve.

Jamie, the human resource representative at Organization C said, “We generally want our workforce to reflect the people out in the community and we’re trying to bring that in line... We’re trying to look at systemic barriers to employment...to see how we are addressing those.” Interviews with employees, senior leaders and a review of organizational documents at Organization C revealed that the organization was explicitly working toward what Spataro (2005) describes as a culture of integration. “A culture of integration prizes quality improvements from incorporating different perspectives into everyday work processes and tasks” (Spataro, 2005, p. 33). A culture of integration involves highlighting and seeking out the potential benefits of individual differences, including bringing new insights into service development, enhancing group decision quality and creativity, and enriching the set of experiences and perspectives that comprise the work environment. This culture of diversity is built on the premise that creativity and decision-making processes benefit from differences among co-workers.

Unlike Organization A and B, Organization C had a formal workplace diversity strategy. Part of the strategy included a regular workforce census that was intended to inform current and future planning for increased diversity in the organization. The HR department collected workforce census data, via survey, from existing employees and on an on-going basis with all new hires. The employee census data were examined across seven key categories including racialization, ethnicity, disability, sexuality (i.e., LGBTQ), age, transgendered status, and gender. The seven categories were not considered exclusive (e.g., one person could fit all the categories). The survey data were then combined with existing HR information (e.g., employee length of service, employment status and employment group). The organization found that the census data revealed a need for increased representation of people with disabilities in management and senior leadership positions. This increased representation was to be based on quantitative goals and timetables. The organization also found a need to continue to develop targeted recruitment initiatives for other diverse groups.

The workforce census survey data report explicitly referenced the EEA and implicitly reflected some of the mandates of the Canadian model of employment equity. For instance, the model requires employers to conduct and report a workforce census to identify representation of people with disabilities, women, Aboriginal people and visible minorities using self-identification and compare this representation with labour market availability data, as well as set goals and timelines for improving representation.

But, in addition to the benefits of reflective diversity, Alex said that employing people with disabilities broadened the view of the organization to see up-close that “other people, ideas, challenges and obstacles are real”. Alex suggested that employing people with disabilities garnered greater attention to diverse perspectives on societal challenges and barriers that service

users could also experience. She suggested that employees with disabilities could identify what the challenges and issues were for service users in that community group. Further, employing staff with disabilities could help service users feel empowered to speak out about accessibility challenges and barriers to service or other areas within the organization.

Some employees told me that they had taken up an advocacy or activist role in their organization to educate their co-workers on issues of bias and stereotypes of people with disabilities. As an employee at Organization C, Elizabeth raised critical questions during team meetings when she heard her co-workers refer to a service user's diagnosis. Elizabeth said:

They'll say, 'Oh I have a client who's bipolar' they might forget for a minute [about me], so my ears will perk up like what does that mean? Because we don't know what that means, we need to find out for that person what does that mean. And I'll say 'tell me more. Bipolar can be fun. Bipolar can be fine. Just tell me what you're worried about'.

Elizabeth described how she wanted to raise awareness among her co-workers about what it meant to be a person with a psycho-social impairment. She was concerned that her co-workers had low expectations for service users with psycho-social impairments and may exclude these service users from positive community opportunities. She wanted to address stereotypes and negative images around disability to broaden the level of services available to service users. Her hope was that she could open up a dialogue with her co-workers to present herself as a new image of people with psycho-social impairments.

Elizabeth's efforts reflected the perspective of critical disability studies scholars like Thomas Szasz (1974). Szasz, a pioneer of the anti-psychiatry movement, argued that mental illness is myth. Szasz was one of the first scholars to highlight psychiatry's ignorance of the

social context of disability. He argued that society tolerates uncertainty poorly and has reacted by creating mental health classifications to delineate right and wrong, good and bad, and other deviations from social norms.

Designing workplaces and services to include people with disabilities can facilitate a virtuous cycle with broad systemic impact (Treviranus, 2014). Groups that include diverse perspectives, especially perspectives from the margins, engage in more effective decision making and innovative practice (Page, 2007). Workplace accommodations can enable the participation of individuals with disabilities in these processes. The next chapter describes how Organization A, B and C have developed and implemented accommodations to provide inclusive workplaces.

Chapter Six: Accommodations at Work

While each went about it in their own way, all the participant employees used some work adaptations or form of accommodation to allow them to do their jobs. The topic of workplace accommodations rose often during interviews. Like earlier studies about the experiences of people with disabilities in the workplace, many of those who took part in this study brought up familiar themes found in the literature concerning people with disabilities who try to fit into an environment which has been conceived for people without disabilities (e.g., Deveau, 2007, 2008; Deveau, 2011). This chapter explicates strategies that were utilized to provide accommodations to include employees with disabilities in the workplace. The chapter also begins to touch on how labour market policies influence the potential of Organization A, B and C to be inclusive and accommodating employers.

Workplace accommodations are described here as modifications and adjustments to a job or the work environment when barriers have not or cannot be removed which may include “accessible formats and communication supports for information, physical or structural modifications, changes in work demands and schedules, or the use of assistive devices” (Conference Board of Canada, 2012, p. 24). According to the Conference Board of Canada (2012), accommodations are intended to support workers with disabilities to fully access and participate in the workplace, and “to complete the same duties and requirements as other employees” (p. 24). Accommodations can be temporary or permanent, depending on the needs of the employee and the design of the workplace. Accommodations may include flexible workplace policies and practices, modified work duties, assistive devices and technology, environmental / physical adaptations, as well as training and support.

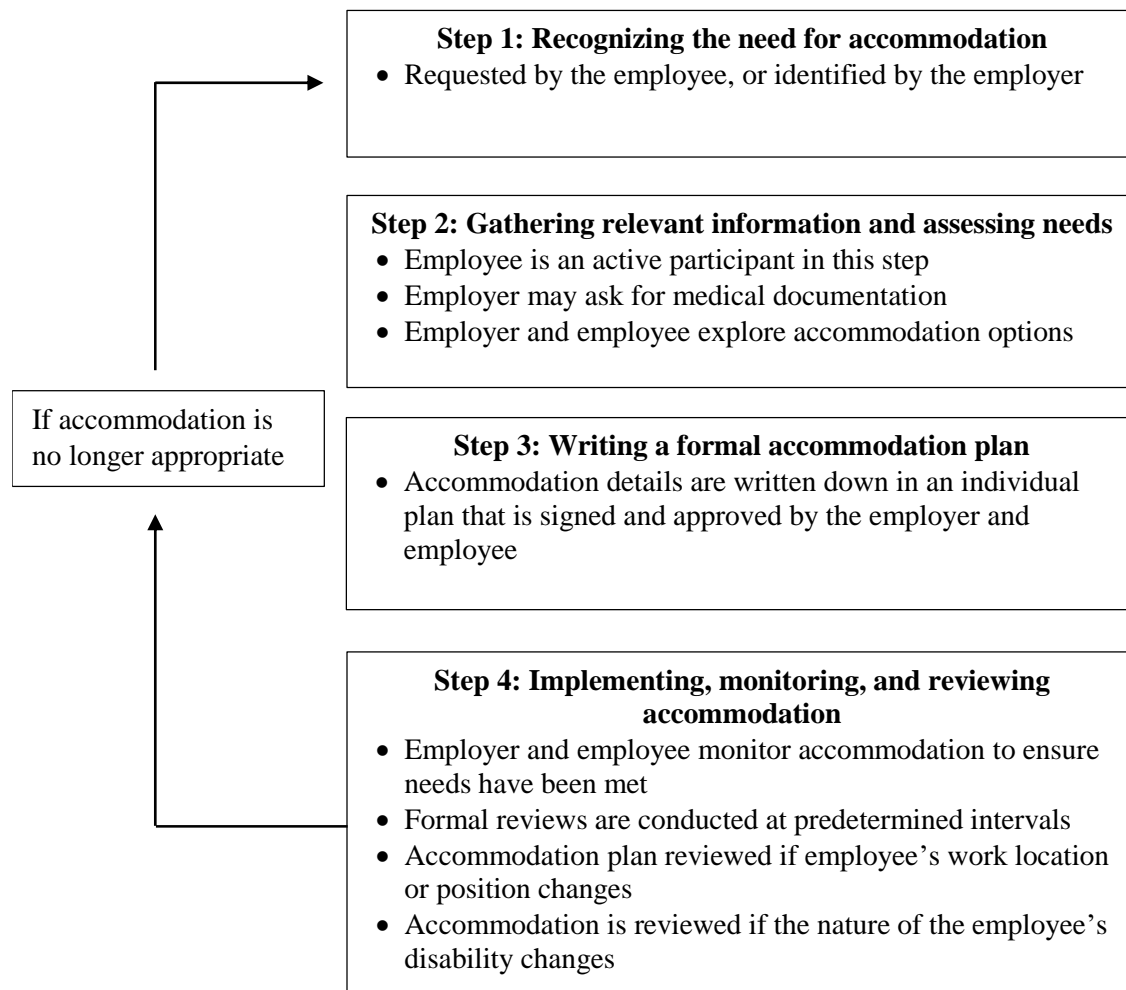
Previous research suggests that workplace accommodations, when implemented appropriately, can be effective in promoting and maintaining employment of people with disabilities (Nevala, Pehkonen, Koskela, Ruusuvuori, & Anttila, 2015). Previous research also suggests that workplace accommodations can be problematic for the individual and the organization when employers take a narrow view of accommodation by focusing on technical changes to a job rather than overall workplace culture (Gates, 2000; Sanford & Milchus, 2006). Treviranus (2014) argues that problems with accommodation are intensified by discriminatory attitudes fueled by insecurity and competition in the labour market. “If individuals with disabilities are able to dodge the erroneous stereotypes held by employers and co-workers, they must often contend with inflexible, rigid, diversity-unfriendly systems at work” (Kruse & Schur, 2003; Yelln & Trupin, 2003; cited in Treviranus, 2014, p. 99). Treviranus also argues that the constraints of current employment policies and practices cause problems for many employees because “They do not account for the demands of families, the changes in work patterns over a lifetime, the importance of work–life balance, or the variety of incentives and motivators that result in greater productivity” (p. 100). Further, accommodations that may be made for employees with visible disabilities are infrequently extended to employees with invisible disabilities, who can be mistakenly characterized as lazy, unmotivated, or untrustworthy. The following sections provide a way of seeing, from where employees with disabilities are situated, into the powers, work processes and relations that organize and determine the everyday context of this particular work process.

The Accommodation Process

Implementing workplace accommodations is a process, requiring several steps that organizations can take to ensure that workers are accommodated appropriately and effectively. Examples of accommodations implemented for participant employees with disabilities in this study included flexible scheduling; adjustment of workload; facilitating the return of employees after a leave of absence due to poor health, injury or illness; work from home options; assistive technologies (e.g., screen reader software, lumbar supports); ergonomic work stations; job sharing; etc.

In general, all three organizations followed a similar process of developing and implementing workplace accommodations. The accommodation process followed four general steps taken by the employer to provide accommodations for an employee. These processes reflected what the Conference Board of Canada illustrated to help Ontario employers understand and implement the AODA employment standard with considerations laid out in the Code (Conference Board of Canada, 2012). Based on requirements set out in the AODA, the Conference Board of Canada identified so-called workplace “best practices” through a literature review, survey of Ontarians with disabilities, and in-depth interviews with key informants and employers.

The flow chart below (adapted from Conference Board of Canada, 2012) outlines these practices for developing and implementing workplace accommodations, and illustrates some of the key aspects of accommodation processes at Organization A, B and C.

Figure 3: The accommodation process

The following discussion explicates how the accommodation processes at Organizations A, B and C worked from the standpoint of employees with disabilities. This discussion will highlight some of the differences between the “experiential” and “ideological” way of knowing disability and accommodation. This discussion is inspired by Deveau’s (2008) research on the accommodation experiences of employees with disabilities in the Canadian federal public sector. Similarly, this discussion will bring attention to lines of fault between the accommodation needs of disabled workers and the institutional processes developed to meet those needs. To explicate

this process, this discussion will also explain the responsibilities of each of the parties that play a role in the accommodation process, namely the roles of employees, employers, unions, and other professionals or consultants. Findings will be discussed in relation to previous literature to more fully understand how these processes work at each organization, and to begin to identify some of the institutional processes underlying the everyday experiences of employees with disabilities at Organization A, B and C. The discussion will refer to relevant texts and documents activated at each organization during the accommodation process as well as give additional definitions for key terms in relevant policies that influence the accommodation process. Some of these texts were described in the legislative context described earlier such as the Code and the AODA.

Recognizing the need for accommodation . Across all three organizations, the first step in the accommodation process involved employees making a request for accommodation; or a potential need for accommodation was identified by the employer. In accordance with the law, employees were required to communicate an accommodation need to their employer. Participants named several factors that influenced the likelihood of employees to request accommodations. These included the employee's knowledge and awareness of the accommodation process, as well as their rights. For instance, Faith said:

Even though I work in the [disability] field, I still don't realize how I should ask for accommodation and what I have rights to. I'm just worried that one day I won't be able to work because of my [impairment], and I'm just kind of being gentle...I don't know to what extent, if I keep demanding [accommodation], [management] may say 'Whoa, whoa, whoa, you know if you can't handle it, get another job'. They're not going to say it, but I'm very sensitive and I don't want to affect or impact my job.

Here, Faith considered the extent to which accommodation requests would be more helpful than harmful to her ability to accomplish work tasks and maintain her image as a capable employee who can “handle” her job. Faith said she met in person with her direct manager and executive director to discuss these concerns privately and identify her needs. Faith said her manager and executive director informed her of the employer’s responsibilities and the steps that would be taken to ensure the privacy of her personal information. Faith said she left the accommodation planning meeting feeling better because management understood her “needs and concerns”. Faith said:

I was very nervous, but I left [the meeting] feeling good. [Management] had actually done a very good job of amalgamating everything [i.e., all my accommodation requests]. I was able to give my opinions on how I felt about things that should be included or excluded [in the plan]. What’s nice is that the executive director would provide some thoughts from a human rights perspective on ‘well if something happens in the future you might want to consider this.’ And I was like ‘hmmm good thinking’. I know [the executive director] is looking out for [themselves] but [their] also looking out for me and that makes a difference immensely for me to feel confident. It makes me feel like they’re there for me.

Management had a very important role in the accommodation process for employees with disabilities. Each organization used a different approach with distinct roles for staff and management to work together in the development of accommodations. Previous research suggests that employers can give effective accommodation to their employees with disabilities

simply by showing a positive attitude and offering empathy and emotional support when needed (Padkapayeva et al., 2016). Especially successful in this endeavor are employers who defuse hostile work environments or interpersonal conflicts impacting these employees (Dong, Oire, MacDonald-Wilson, & Fabian, 2012). For example, Brett described how Organization B was working toward a positive, welcoming and accommodating team environment to support employees without waiting for accommodation requests. Specifically, Brett said:

We run some programs here that we make sure we fully accommodate without waiting for a request...So in terms of other issues around morale and that kind of thing it goes back to just managing it on a daily basis and making sure [internal issues] don't really take hold. Keeping confidentiality, I think is a big part of it. Not allowing for those kinds of opportunities to have closed door gossip sessions, that kind of stuff.

Me: How do you intervene in those types of situations?

Brett: It's tough. One of the first things I did when I started was a bit of an unwritten policy about no closed-door discussions. There was a lot of that going on.

Me: What do you mean closed door discussions?

Brett: Just having groups of people chatting with the door closed, talking about other people.

Me: How did you address that?

Brett: ...Those sorts of things are really tough, but that's how it starts. So today I shifted [job tasks for an employee], if that staff person [who was assigned the tasks] goes to a friend across the hall and closes the door and says, 'I just got [these tasks]!' and then it starts unraveling, and the person's disability comes into play within two or three

discussions...So we're trying to stamp out those sorts of cliques from an office dynamic perspective.

Here, Brett worked to prevent resentment toward co-workers with disabilities by fostering the development of a flexible and supportive workplace environment. This made a difference for employees who measured the degree to which the organization supported and valued inclusion. Susan said that Brett “understands and promotes accommodation in every facet of the work that [the organization] does. [Brett] does that with the Board, [Brett] does that with the staff and [Brett] does that with our [volunteers]. So that sets the tone for the office which makes people feel comfortable”. Susan’s perspective reflected her understanding of the organization’s recognition of the need for accommodation.

Representatives from all three organizations told me that they believed most people, regardless of disability status, could use some form of accommodation to do their job. Sometimes, a supervisor or manager may have recognized the need for accommodation of an employee. They may have suggested an accommodation option, or taken an inclusive design approach to accessibility in the workplace (Treviranus, 2014).As Brett described:

When a staff member is hired we make sure that our space is accessible, and that our system is accessible...so we go through that accessibility piece...We always [ask new employees about their accessibility needs], but even if they don’t identify [as a person with a disability], myself and the [HR] manager will sit down and we’ll go through anything that became apparent throughout the interview that the person may not be self-identifying. We still want to be proactive about it...To give you an example, if someone comes in with a mobility device, and says ‘I think I’m OK, I came to your office, I think

I'm fine, I'm not requesting anything [in terms of accommodations], I'll be OK. The office is fine I looked at it.' That's great. There's some response that is positive but that's not the end of it for us. So [the HR manager and I] still sit down, we go through the duties of that person and whether we feel there may be [access] issues. We may move things around, maybe change a desk, you know that kind of stuff. We want to make sure that from [the time] when the offer [of employment] is accepted, to the start date, as management we make sure that we spend time thinking about potential accessibility related issues or accommodation issues, which I think every organization should do but that's fairly standard here.

Brett and Devin both said that they tried to make the organization's policies and procedures the "gold standard" in terms of accessibility. Devin said that they would share their policies with other organizations to promote greater inclusion of people with disabilities across the labour market, particularly in the human service and education sectors.

A similar approach was described at Organization A. For instance, Deidre described how her needs for accommodation were recognized by management. Deidre said:

Another one of the perks of why I like being here is, in terms of accommodation. I feel very accommodated. And when I think about accommodation it isn't just about disability. I remember when [I got this job] one of the questions [management] did ask me was 'What sort of accommodation would you need [for] this job?' And I said to them 'Well ironically, yes, I do need accommodation around my disability, but what I need accommodation more around is actually the challenges associated with being a single [parent]. I need to have hours where I can leave early enough to get to my daughter's

daycare before they start charging me a dollar a minute for being late. My direct manager...is a [parent] as well...So I found this organization is very supportive of accommodating around that. I was able to negotiate hours where I could leave at a specific time and...I couldn't really work overtime...They've been very, very understanding around that.

Here, Deidre described the experience of inclusive design in the accommodation process — an approach that involved conducting an assessment for every member of a workplace to find potential accommodation needs (Inclusive Design Research Centre, 2017; Zolna, Sanford, Sabata, & Goldthwaite, 2007). As Quinn said, accommodations are like “part of the furniture” at Organization A, such that:

For most of the staff here that use wheelchairs, [they have] a desk that raises up and down [which] is standard...also our office has other things...We have a kitchen sink that doesn't have stuff under the counter, so you can pull under the kitchen sink. We have a boardroom [with] tables that go up and down for people of varying heights whether they're wheelchair users or not...We have different coloured floors, for contrast, for people with low vision. We have a railing for people with mobility disabilities. We have a colleague that's blind that uses the railing as a guide. We have glass in our doors, so we can see one another if the door is closed, so we can see if something happens to someone, we can see that something is wrong. We have automatic door openers. We have colleague[s] who have energy issues related to [their] disability, so [there] is a couch where [they] take a nap when [they] need to. There's a range of accommodations here because of what we are, and the nature of the work that we do.

In this excerpt, Quinn referred to “the nature of the work that we do” as a DPO. As a DPO, Quinn and Sarah agreed that the workplace should reflect the forms of accessibility and inclusion that they promoted in their service to the community.

Inclusive design is defined by the Inclusive Design Research Centre (IDRC) at OCAD University (formerly the Ontario College of Art and Design) to stress the need for spaces and places to be designed with recognition of the diversity and uniqueness of each person:

As individuals spread out from the hypothetical average, the needs of individuals that are outliers, or at the margins, become ever more diverse. Most individuals stray from the average in some facet of their needs or goals. This means that a mass solution does not work well. Optimal inclusive design is best achieved through one-size-fits-one configurations. (Inclusive Design Research Centre, 2017)

While conceived for the digital realm, this idea is usefully applied in the context of employment. The IDRC views disability as a mismatch between the needs of the individual and the design of the product, system or service. As such, “disability can be experienced by anyone excluded by the design” (Inclusive Design Research Centre, 2017). Inclusive design implies that solutions are developed with diverse individuals, including those with disabilities. Inclusive design involves awareness of the context and broader impact of any design to affect a beneficial impact beyond the intended beneficiary. Inclusive design should recognize the interconnectedness of individuals and systems.

The term ‘inclusive design’ contrasts with ‘universal design’ which has its origins in

architectural and industrial design and is referenced in various accommodation policies.

Universal design is achieved through a one-size-fits-all approach. The IDRC (2017) suggests that “Universal design, despite the fact that it has the term universal in it, and counter to the intentions of the originators of the term, has become associated with disabilities and a fairly constrained categorization of disabilities”. Conversely, inclusive design stresses the multi-faceted aspects of the individual such that their needs may arise from many factors which all need to be taken into account. Similar to universal design principles, inclusive design also aims to design integrated systems that work for everyone, including people with disabilities.

At Organization C, employees, HR and union representatives all said that there is recognition of the need for accommodations of employees with disabilities in the organization. However, the experiences of employees with invisible impairments varied (this will be discussed more in the following sections). In terms of recognizing individual needs, Alex said that most of the time the accommodation process at Organization C went well, particularly for accommodations for workers with visible physical disabilities where the potential need for accommodation was apparent. Alex also said that the organization did not do enough to recognize the need for accommodations throughout the employment cycle, starting with recruitment. Alex remarked:

[At Organization C] we’re really big around the AODA, really trying to reach for that. Has it reached? I’m not sure. Like yeah, we’re accessible in terms of wheelchair ramps where we need to be, doors opening with accommodation buttons, reception desks were lowered as well...So I’d like to think that for service users we’ve made a real effort, but I’m not sure for workers if we have. If you take a look at some of the cubicles we have,

there is no way they are wheelchair accessible. But then again, the mentality is if you're in a wheelchair you wouldn't be driving so if you're not driving you wouldn't be a front-line worker. But, there are cars that people in wheelchairs can operate. So, is there a willingness from our employer to examine each and every one of these things to see how we can make them accessible or push the boundaries of the envelopes? I don't see that...I don't think we do enough. That's all. And where do we need to go? I'm not sure, but at least [we need to] have those discussions, and do those reviews, and at least try to push boundaries and envelopes where we can.

Alex referred to the organization's policy that required workers to have a driver's license. Alex argued that there was a need to recognize gaps in the organization's recruitment strategy that prevented people with disabilities from applying to the organization. Alex recognized the need to adapt position requirements for most front-line service job opportunities at Organization C. Often, job announcements would note that candidates must have a valid Ontario G or G2 driver's license. According to the Ontario regulations for driver's licenses (Government of Ontario, 1990):

An applicant for or a holder of a driver's license must not, (a) suffer from any mental, emotional, nervous or physical condition or disability likely to significantly interfere with his or her ability to drive a motor vehicle of the applicable class safely; or (b) be addicted to the use of alcohol or a drug to an extent likely to significantly interfere with his or her ability to drive a motor vehicle safely. (p. 8)

Moreover, individuals are not permitted to obtain a driver's license if they have:

A medical or visual condition or disability that, alone or combined with a reduced horizontal visual field, may significantly impair his or her ability to drive, including, (A) a neurological deficit or disorder, including epilepsy, (B) diabetes that requires insulin for control, (C) hypotension, or (D) an impairment resulting from dementia, stroke, brain tumour, brain surgery, head trauma or arthritis. (p. 11)

Thus, Alex argued that Organization C excluded a range of job seekers with various impairments who are, by law, unable to obtain an Ontario driver's license.

From another perspective, Jamie described the recruitment and onboarding process at Organization C as such:

So, when we call people to set up the interview we'll ask them if they need any accommodation. It's on all of our postings as well. People do ask us for more time or things like that, or need devices or other accommodations to come in...I think that helps people in telling us upfront that they need something, but you're never sure right? I think once they come in and see that we give them the questions in advance and then [one of the HR staff] does a good job of asking if people require more time during our interview process. I think that by asking, what do you call it, an active offer, rather than it's just on the paper sort of offer, is one of the ways that we can help hopefully reduce that anxiety about identifying themselves.

Here, Jamie did not mention the requirement of a driver's license. Jamie was concerned about encouraging individuals to self-identify as a person with a disability and make a request for accommodation. With recruitment and onboarding processes in mind, Jamie also wondered "if

there are people with disabilities from the social work schools who just don't apply here because they think they can't do the duties of the job...Like a reverse self-selection". This, Alex suggested, may occur because of the requirements for a driver's license.

Thus, across all three organizations, there was a recognized need to accommodate employees with disabilities by the organization itself. The emphasis here was not on the ability of the employees to recognize their needs, but for the organizations to create the kind of workplace that welcomed accommodation and adaptation. When an individual need was recognized, various policies and procedures were set in motion (which will be discussed later). The second step in this process required employees to collaborate with their managers, human resource personnel, union officials, external consultants, and health care professionals to determine the most appropriate individual accommodation options.

Gathering relevant information and assessing needs. In general, the contemporary workplace has not been designed for people with disabilities. As a result, accommodations are essential to support inclusion and disability equality rights. Moreover, disability is not a homogeneous category, and individuals within the category need different types of accommodation that respond to their particular interests and needs (Nevala et al., 2015; Padkapayeva et al., 2016). To respond to their interests and needs, and comply with legislation, employees with disabilities are implicated as active participants in the process of negotiating their accommodations (Ontario Human Rights Commission, 2016). The following excerpt describes the work that Jane, a full time permanent employee at Organization C, needed to do to establish for herself, and the workplace, that she could no longer work in her previous job and required a different position in the organization.

Jane: [A few years ago] I went on sick leave [when] I had quite a bad breakdown. I wasn't hospitalized although it could have you know...I was diagnosed with having [a psycho-social impairment], and actually quite complex. I did a lot of treatment...Like I was in a lot of groups and treatment, therapy, like I was analyzed. One of the things they decided is that I couldn't be exposed to traumatic material at all! Like written material, verbal material, like no material whatsoever...It was a really big blow. It was an occupational therapist...who said, 'you know... you have to find another career'. So here I was almost 50 years old and being told that I can't do my passion, my life, anymore. It was really difficult. Then [the long-term disability insurance provider] wanted to get me back to work so then I started looking at positions within my workplace.

Me: Were you employed at [Organization C] at this time?

Jane: Yes...in terms of the employer, I guess I would say that they weren't really intrusive, but they weren't necessarily helpful either. When I was trying to go back to work, [the long-term disability insurance provider] was trying to work with me but [the organization] wasn't really helping me. There were some job postings...actually my housemate at the time, found this job in [a program at Organization C] and it turned out...there was actually a full-time position open....so then I didn't actually have to apply. I just had to inform [the organization] that I was interested in that [position] and I wanted to come back to work. So, it was actually me that found, well through my friend, [the job I returned to] ...The employer actually wasn't working with me to help me find another [position]. I don't know whether that was an intentional hands-off thing or whether they just felt that the insurance company contracted out...these employment services. [The long-term disability insurance provider] had this woman work with me on

my resume and she took me to some possible job placements, that didn't really lead me to anything and then they had a disability worker, employment worker, somebody, somebody. So, in terms of my employer, I don't know whether its because they have all these services, you know like they're a really good organization so if they have all these services they just kind of leave that to [the insurance provider] rather than HR working specifically with me. In a sense I was really lucky but also, I took a [substantial] pay cut. And I voluntarily did that.

Here, Jane referred to Organization C's long-term disability plan for permanent full and part time employees. According to the Organization's collective agreement:

The Employer agrees, during the term of this agreement, to continue to pay fifty percent (50%) of the billed premiums towards coverage of all eligible full-time employees under the long term salary continuance plan with the current benefit carrier (or to provide comparable coverage with another carrier) subject to the terms and conditions of the plan....An employee who is no longer deemed disabled under the provisions of the disability income maintenance program shall be placed in his/her former or equivalent position with the Society. Notwithstanding the foregoing, where the employee shows medical evidence that they are unable to perform the regular duties of their pre-illness job, the provisions of the Human Rights Act [I.e. the Code] with regards to accommodation shall apply.

As such, Jane's experience showed that the organization was operating within the parameters of the benefit carrier's insurance plan and the Code. Jane was assessed by various medical

professionals and was told that she was unable to perform the regular duties of her pre-symptomatic job⁸. Jane told me that she liked her current job, despite the pay cut, and wanted to continue to work at Organization C until she retired from paid employment. Jane said she wanted to continue working at Organization C because it was a large employer with a range of job opportunities.

A common practice at Organization C was to obtain information from medical professionals to assess the needs of employees who requested workplace accommodations. This information was used to determine what disabled employees were capable or not capable of doing. The HR department used assessments in consultation with an external “disability management specialist” to assess a given worker’s potential to do the “essential duties” of a job. According to the organization’s accommodation policy: “Supporting medical documentation may be required to verify the need for accommodation and to determine functional limitations”. Jamie described this process as:

It’s not really just a doctor’s note. Usually [the disability management specialist] will send a letter to the [employee’s] physician saying ‘here’s the position description. Here’s the cognitive and physical demands of the job. From looking at these and you knowing the patient, is there anything that they can’t do?’ Then they [the physician] will say, [for example], you know [this employee] can’t lift from waist to shoulder. Then we look at that against the demands of the job and ask if that is a bona fide requirement of the job or can we ask someone next door to lift? Is this going to be a problem? No. And then we accommodate it. Like that’s a really simple easy [example]. But the more complex, we

⁸ Earlier in the interview with Jane she commented that she believed she had a psycho-social impairment for years before she experienced symptoms at work.

need to look at what can or can't be done [to accommodate]. So, whether or not we need to break up their day? If we need to look at different jobs. In the case of someone who might have MS [multiple sclerosis] or something whereby they get to the point where they can't do all the requirements of the job or for whatever reason we need to look at different jobs then we start looking at other positions and within the restrictions that we have, what would that look like and how would that work? Or is there re-training required?

The term “bona fide requirement” is an important one in Jamie’s description of the accommodation process at Organization C. As noted by the OHRC:

The Supreme Court of Canada has set out a framework for deciding whether some prima facie (on its face) discriminatory requirement is reasonable and bona fide (legitimate) in the circumstances. The organization must show on a balance of probabilities (more likely than not) that the requirement was 1) Adopted for a purpose or goal that is rationally connected to the function being performed; 2) Adopted in good faith, in the belief that it is necessary to fulfill the purpose or goal; 3) Is reasonably necessary to accomplish its purpose or goal, in the sense that it is impossible to accommodate the claimant without undue hardship⁹.

These three criteria stems from a Supreme Court decision in a case known as *Meiorin*. According to the Meiorin case, these three criteria need to be met in order to claim that a particular element

⁹ Retrieved from <http://www.ohrc.on.ca/en/policy-preventing-discrimination-because-gender-identity-and-gender-expression/9-reasonable-bona-fide-requirements>

of a person's job description is a bona fide occupational requirement. It is referred to in legalistic terms as the three-step (or three-part) test (Deveau, 2008). The Meiorin case refers to the case of a 33-year-old female firefighter who failed a physical fitness test required by her employer and, as a result, lost her job. Her union filed a complaint which eventually ended up before the Supreme Court of Canada who determined that part of the test was not rationally connected to the functions of the position. This landmark ruling has set a precedent that requires employers to demonstrate they have adhered to this three-part test to prove that they are not required to accommodate someone in a particular position. However, the purpose of the Meiorin ruling was “not to provide an escape hole for the duty to accommodate but to physically and socially transform workplaces so that the need for accommodation no longer existed” (Deveau, 2008, p. 174). Tracy recognized this contradiction when she made a request for an adaptation at Organization C. Tracy said, “I don’t feel that I should have to disclose my needs before you meet them. That should already be accessible. I should be able to say I need that and just be able to claim what I need as opposed to asking for it.” Moreover, Tracy was critical of the organization’s request for medical documentation and felt that it was unnecessary to support her needs.

Several other employees at Organization C were uncertain about the nature of information required from medical professionals to support their workplace accommodation requests. To return to Jane’s experience, she described the following process when she went back to work from her leave of absence:

Well I spoke to my doctor, and at first, he wrote this note asking for [my accommodation request] ...And I took it to my supervisor and she temporarily accommodated me...and I think she might have spoken to HR and told them about it until we could get in a meeting

with the disability specialist... And then they had a form for me to have the doctor fill out which is like 'can you walk up stairs? What weight can you lift?' All those accommodation questions. And then my doctor wrote a thing about getting another half hour [break time during the day]. And then that's when I went back to the meeting and they said 'well we can't do this'... They said that it's their expertise, they find out how to [accommodate], so it's the doctor's role to find out what the limitations are and then it's their role to fit those limitations into the work schedule... And then the disability specialist said 'I assume this is more emotional' or he said something to indicate [I did not have a] physical [disability], like he was very nice about it... I guess from their point of view they can't have employees coming to them with a note from the doctor saying 'OK this person can't drive more than 10 kilometers. Or that this person can't [whatever], like they need to know what the doctor knows about what the person is limited to do, and then they fit that in, because they have to be able to figure out... how these things can be applied in the workplace... It's confusing.

Other employees said that their doctors were uncomfortable with information requests from Organization C. During her interview, Elizabeth described her experience returning to work from a medical leave of absence related to her psycho-social impairment.

Elizabeth: They [the employer] asked for a more detailed note from my psychiatrist than just 'needs to be off work'.

Me: How did you feel about that?

Elizabeth: My psychiatrist didn't like it. He said it was kind of personal stuff. But I think they did just generally want to know the nature of the illness and what was my expected

time that I might need [to return to work]. So [Organization C] just [wanted] a bit more specific [information] than just ‘[Elizabeth is] off work indefinitely’...I was worried about it...But it was the union person who said to me ‘This is something that you just need to do and don’t share too much, and you’ll be fine’.

The OHRC recognizes there is some confusion about the type and scope of medical information that must be provided to support an accommodation request. In February 2017, the OHRC released their policy position on medical documentation to be provided when a disability-related accommodation request is made (Ontario Human Rights Commission, 2017). Their policy position states:

In some cases, people with disabilities have been unable to gain equal access to services or employment because of ambiguous or vague medical notes that do not provide enough information to allow for appropriate accommodations to be meaningfully implemented. There are also situations where employers and others have requested personal medical information that goes beyond what is required to support an accommodation request. Overbroad requests for private medical information – such as diagnostic information – undermine the dignity and privacy of people with disabilities. The ongoing stigma associated with many disabilities, especially and including mental health disabilities, means that requests for diagnostic information may pose a barrier to a person with disabilities proceeding with their accommodation request. (pp. 1-2)

Section 8.7 of the OHRC’s Policy on ableism and discrimination based on disability sets out detailed guidance about the type and scope of information to be provided to support an

accommodation request. According to the Policy, this information should include that the person has a disability; the limitations or needs associated with the disability; whether the person can perform the essential duties or requirements of the job, with or without accommodation; the type of accommodation(s) that may be needed to allow the person to fulfill the essential duties or requirements of the job; and regular updates about when the person expects to come back to work, if they are on leave. Their policy position further notes, “To implement appropriate accommodations that respect the dignity and privacy interests of people with disabilities, the focus should always be on the functional limitations associated with the disability, rather than a person’s diagnosis” (p.2). Thus, following this policy, Organization C focused on Jane’s and Elizabeth’s functional limitations and not their diagnoses.

While the OHRC’s policy clarifies that employees are not required to disclose their diagnosis, the policy does center on one’s limitations, rather than their abilities. The statement above focuses on fixing the individual’s problem, rather than transforming workplaces to meet the needs of all types of workers from the outset. From this ideological perspective, the barriers that employees with disabilities face are understood as the result of their individual impairment. In turn, the accommodation process identifies what is wrong with the individual employee (i.e., their “functional limitations”) and then tries to address those limitations. In turn, employees’ requests for accommodation(s) at Organization C hooked them into this ideological way of knowing disability, which is that of an individual, medical limitation.

The use of medical documentation in the accommodation process at Organization C meant that Tracy, Jane and Elizabeth’s experiential way of knowing disability was superseded by the ideological way (D. E. Smith, 2005). Alex described this line of fault in the accommodation process at Organization C:

Everything needs to be based on medical evidence for the employer to move forward with anything. It's all medical evidence from a doctor. The only thing they take the employee's word for is on how things are going...But let's say it's like this: They [the employer] is like 'OK so this is what your doctor said, is there anything you want to add?' And I say [as an employee] 'Yeah I can't drive.' [Then the employer says], 'Oh your doctor didn't write that here. So, we won't have you drive but we're going to have to ask your doctor to provide that information.' It's not the word of the employee [as evidence], it's based on medical evidence...[and] it really puts the employee on edge.

Alex said that this process signalled a sense of distrust of employees because relevant information and need assessments for accommodations were not based "on the word of the employees". Regardless, Alex said that the accommodation process usually "goes pretty smooth" for employees with visible physical disabilities such that employees and the employer were satisfied with the accommodation plan. According to Alex and Jamie, this is because visible impairments and individual limitations can be easily compared to the organization's physical and cognitive job demands analysis. They also said that the process is challenging when trying to gather information and assess the needs of employees with invisible psycho-social impairments because it is difficult to "see" what an employee can or cannot do. As such, employees with invisible psycho-social impairments were required to gather more information from a medical professional to clarify their decision making, memory and communication abilities. Jamie commented:

Physical issues tend to be the least complicated and the easiest to accommodate...I think it's people's bias to say, 'I can see that, I understand that.' It's far more difficult dealing with mental health accommodations. A lot of people still don't understand mental health to the full scope. They don't understand why you can't just pull up your socks and get back to work. That old school thinking around mental health. I think that happens not too often, but it is something that is really challenging to deal with.

Jamie said the organization was working to address these difficulties “through conversations” and supporting initiatives to prevent mental health issues and “promote psychological health and safety in the workplace”. Jamie said the organization was developing a process that would support workers and “supervisors in dealing with employees who might be in the early stages of mental health issues because of the work we do, remembering that that work we do is very draining”. Jamie referred to the organization's peer support team and employee assistance program as initiatives that could prevent the development of mental distress among employees.

Critical disability studies scholars argue that the prevention of disability and impairment is derived from the medical model of disability (P. Fisher & Goodley, 2007; Oliver, 1990a). Thus, issues of disability revolve around identifying, understanding and controlling the illness, physical condition or deviant anatomy that is part of an individual's own body. This medicalized model views disability as inherent in an individual, that is worthy of resources that work toward a cure, treatment or prevention.

Jamie's reference to prevention “of mental health issues” lands between the medical and social models of disability. Jamie recognized the interaction between the individual and the environment. Moreover, Organization C was in compliance with the AODA which was designed

with the social model in mind. AODA standards set out requirements for the identification, removal and prevention of barriers that keep persons with disabilities from participating fully in all aspects of society. However, as authors such as Shakespeare (2006), point out, impairments have real impacts for health and individual capacity, and different impairments generate different responses from the broader cultural and social milieu. The use of medical documentation in the accommodation process is a recognition of this.

In line with tenets of the social model and inclusive design, the OHRC provides guidelines for collaboration between the employer and employee in the accommodation process. Collaboration in the accommodation process means that the employer and employee with a disability work together to determine and implement accommodation measures based on the employee's self-identified needs. Previous research indicates that successful job accommodation depends on the active involvement of the employee with a disability and the employer (Nevala et al., 2015; Padkapayeva et al., 2016). The employee with a disability should be a central actor in developing the accommodation plan by providing information about their subjective experiences at work and of disability.

At Organization A and B, this step in the accommodation process operated differently than at Organization C. For instance, at Organization B, Faith described how she met with her direct manager and the executive director to assess the needs of the organization and her individual needs. Faith said she was actively involved in personal meetings to develop her accommodation plan, such that "I had questions and they listened, I asked about the addition of things, subtraction of things... There are revision meetings every 6 months. I can look at [the plan] to see if there's any changes, so it's not final or in stone." Similarly, Susan said:

We have an accommodation plan, and we review the accommodation plan every 6 months to a year to make sure that my accommodations are in place or working or whether they've changed. But frankly with the current executive director I would have absolutely no problem in going and saying that my accommodation needs have changed. Like I'm going to have to work at home more often or going to need a different work schedule or I have more medical appointments coming up. I don't have a problem.... [discussing] the changing nature of my accommodation needs.

In these examples, the experiential way of knowing disability is taken as priority information in the development of workplace accommodations. Brett and Devin explained that Organization B had never requested medical documentation from employees who requested accommodation. They said this is because they had found ways to accommodate employees - even it meant taking on a financial deficit. Devin described:

We haven't asked [for medical documentation] because it's only been little stuff. Like you know someone may ask for a [different] screen [for their computer] and we'll buy them a screen. If they need a better chair, we'll get them a better chair, or we'll switch it with someone... You can mix up funds. So, we play. Like I said we're in a deficit position this year and part of it is because we had to hire someone to accommodate [an employee] and it wasn't even a full-time staff person... But, that's the price of doing business.

From another perspective, below is an excerpt from Brett's interview about how Organization B gathers information and assesses needs.

Brett: So far, speaking to the staff has been enough. As far as my duty to inquire, I've fulfilled my duty just by meeting with the staff. Based on what the staff were telling me and based on all the circumstances that I was aware of, that was enough. And so, we developed a plan and that was sufficient. We've haven't been in a situation where we needed to engage other people into that discussion, like medical professionals or whatever. We haven't been there yet. I don't know if that speaks to our approach or what. So, you know we've purchased equipment, even when we renovated and built this place, we made sure that we brought staff in to make sure that their accommodation needs were addressed and dealt with. So, we have some spaces here that were specifically designed [for staff] and they were a part of that.

Me: How do you make a determination about an accommodation? What factors do you consider if, for example, you're deciding to purchase a piece of equipment, or making modifications to someone's schedule, or someone's workspace?

Brett: Well the approach that I take is that my job is to identify all the possible accommodations that are in the spectrum of possibility.

Me: And you provide those options to the staff?

Brett: No. I develop that list with the staff. We work through it together. And then once you explore all the options, then it's my job to identify the most appropriate accommodation on that list on the spectrum... We try to work on it together as much as we can. Nothing is easy, but it's a lot easier because there's a good team, we have a really good relationship, so people, I think, feel a little more comfortable in doing that.

Here, Brett referred to the “good team” at Organization B which reflected aspects of the organization’s work environment. Brett also referred to how management transformed the workplace to meet the needs of all types of workers from the outset. This transformation was facilitated during renovations at their main office when they invited employees with disabilities to visit the space while under construction and share ideas for improved accessibility and a more accommodating built environment. Brett also referred to the employer’s duty to inquire which is explicated in the OHRC Policy on ableism and discrimination based on disability (Ontario Human Rights Commission, 2016). The Policy states that the duty to inquire about accommodation needs means that:

In general, the duty to accommodate a disability exists for needs that are known or ought to be known. Organizations and persons responsible for accommodation are not, as a rule, expected to accommodate disabilities they are unaware of. However, in some circumstances, the nature of certain disabilities may leave people unable to identify that they have a disability, or that they have accommodation needs...Accommodation providers must attempt to help a person who is clearly unwell or perceived to have a disability by inquiring further to see if the person has needs related to a disability and offering assistance and accommodation. Even if an employer has not been formally advised of a disability, the perception of such a disability will engage the protection of the Code. (p.43)

Like Organization C, the accommodation and human resource policies for Organization B and A, respectively, were in accordance with the Code. The accommodation policy at Organization B

stated, “Because accommodation is often a personalized process, it is the obligation of the individual seeking accommodation to participate in good faith and as fully as possible in identifying the barrier and potential solutions to overcoming it.” This meant that the employee was involved as much as possible in the development of accommodations.

At Organization A, several employees described a relatively informal accommodation process such that they identified their needs to their direct manager who forwarded the request to the executive director and they received their accommodation. Often, these accommodations were put in place when employees were hired for their job. Sarah, the executive director, said that management would rely on employees to tell them what they needed to do their job. She did not want employees to have to “justify” or “explain” their needs, such that, “It’s understood that that’s what you need and that’s why you need it. You don’t have someone second guessing your decisions every time you turn around.” Quinn gave more information about this process, as presented in the following excerpt from her interview.

Me: I’m interested in how workplace accommodations [at Organization A] are mediated by various texts or forms or documents. Do you know of any forms or policies or paperwork that’s required or filled out whenever an accommodation is put in place for someone?

Quinn: No, we just buy the equipment as needed. We have a one on one conversation with the individual...It’s a simple request...

Me: What happens during those one on one conversations?

Quinn: It’s always a humane approach. So, it’s like, ‘What do you need? Why do you need it?’ You know it’s not part of our ethos to ask for a doctor’s note saying why you

have to work at home [for example]. We're trusting the individual to assess their own abilities...because we're not a corporation of thousands, we're an operation of [less than 50] people. So, we can have these conversations one on one.

Employees I spoke with at Organization A said that this process usually worked well for them. The process at Organization A did not involve a formal accommodation plan, unlike Organization B and C. This will be discussed next.

Writing a formal accommodation plan. The third step in the accommodation process can include the act of writing a formal accommodation plan. Accommodation plans are intended to explicate the organization's response to the accommodation needs of an employee. Plans are usually intended to be flexible documents that can be adjusted when the needs of the employee or organization change. This phase of the process represents part of the substantive component of the duty to accommodate under the Code. The OHRC Policy on ableism and discrimination based on disability states that:

There is no set formula for accommodating people identified by Code grounds. Each person's needs are unique and must be considered afresh when an accommodation request is made. People sharing the same condition often experience it in very different ways, with different symptoms, limitations and prognoses. In terms of accommodation, what might work for one person may not work for another. (Ontario Human Rights Commission, 2016, p. 30)

The policy also notes that in addition to what the Code requires, organizations should be aware of requirements under the AODA.

The requirements of the AODA employment standard stipulate that all employers, except for small organizations with less than 50 employees, must have a written process to document individual accommodation plans for employees with disabilities. This is intended for organizations to have a clear and consistent approach for accommodating employees with disabilities. The standard specifies several elements that must be included in the process for developing documented individual accommodation plans, including: how the employee can participate in the process; how the employer can seek outside “expert” advice to help determine an employee's accommodation needs; how the privacy of personal information will be protected; and how often the plan will be reviewed.

Organization A did not have a formal accommodation policy and did not write formal accommodation plans. This is in accordance with AODA employment standard requirements that exempt small organizations from doing so. According to employees at Organization A, this exemption was working well because management worked with deep knowledge of equality rights, disability issues and provide universal workplace accommodations. This experience contrasts previous research outlining the benefits of formal accommodation policies and plans. Previous research suggests that if supervisors, managers and human resource professionals have formal policies and procedures to refer to, they are more likely to handle accommodation requests properly and consistently (Canadian Human Rights Commission, 2006; Conference Board of Canada, 2012; Job Accommodation Network, 2015). Further, without clear and formal procedures to follow, employers may be more vulnerable to human rights complaints and inconsistencies in the application of policies.

Unlike other employees at Organization A, Monica suggested that some employees with unique impairments within the organization found it “hard to fit in”. According to Monica, this was difficult because most of the employees at Organization A had visible mobility impairments. Employees without mobility impairments would create their own workplace adaptations because they felt their needs were not being met by the organization. However, Monica did not relate these perceptions to the organization’s informal accommodation process and commented that the organization is “getting better [at accommodating people with unique impairments]. It’s a learning curve.” Monica said that employees with non-mobility related impairments would work with other employees in a job-sharing situation, to “find a way to make it all work”. Indeed, Monica commented that formal procedures in the workplace only “bogged down” the accommodation process. Monica described these procedures as seeking permission from “this person and that person” (i.e., supervisors and managers) for staff to share job tasks. Monica said that asking permission hindered the organic informal process of job sharing between co-workers. Thus, according to participants in this study, an informal approach was working well at Organization A.

However, at a system level, Moran’s (2014) provincial review of the AODA indicated that exemptions for formal accommodation policies and plans for small employers was slippery slope. Moran reported:

The existing regulations set different requirements based on the size of the organization. Where the line should be drawn between small and large businesses was a major source of contention in the feedback received by this Review. In fact, some felt it was a mistake to create any exemptions on the basis of the number of employees, as very small

organizations can have huge revenue streams...It was suggested that one reason the AODA has not lived up to its potential is the number of organizations that are exempt from such obligations. (p. 42)

Sarah remarked on how the legislative system helped Organization A to provide positive and inclusive employment opportunities for employees with disabilities. Sarah said:

The system doesn't [help]. People in the system do. The system itself doesn't. In fact, the system is designed to put as many barriers in place as possible. [As an employer], you have to be very creative about working around it...You kind of take things to the edge, but not over the edge...of what you're allowed to do...according to any [funding] contract you have...I mean the advantage we have is that this [organization] didn't just appear out of thin air. These contracts have evolved over [decades]. So...you just get really good at working within.

Here, Sarah referred to the benefits of long-term connections between Organization A and its funders. Sarah said that she had learned how to work within funding agreements to work around systemic barriers to inclusive employment.

Similarly, Moran reported that the AODA itself has been perceived to have made slight difference on the employment of people with disabilities. These limited impacts were considered to be a result of managers frequently overestimating how much accommodations would cost and concluding they could not afford to hire someone with a disability. Sarah recognized this potential challenge when she said, "Overall [our organization's] budget is like [several million

dollars]. So, it's hard to make a claim for undue hardship". Her comment reflected the text of Organization A's Human Resource Policy which explicitly noted the purpose of the policy "is to incorporate into the employment practices the meaning and intent of the Ontario Human Rights Code and any other relevant legislation". Both the Code and the AODA include limits to employers' requirements for accommodation based on considerations of undue hardship.

Notably, Moran reported that:

While the Code is about individual cases, the AODA is about proactive change and can't be everything for everybody. It was recognized that the Code has primacy and its undue hardship criterion is understood to provide a higher level of accessibility than the AODA does currently. One result, as a Toronto presenter noted, is that the timelines in the AODA's Employment Standard send a mixed message to employers, since what they speak to is already implicitly required by the Code. (p. 52)

The Code and the AODA are laws that are designed to work together to promote equality and accessibility, respectively. The Code applies to all Ontario organizations regardless of type and size. The AODA applies to organizations with one or more employees and requirements depend on the organization's type and size. The human rights principles of the Code help inform and guide how AODA standards are to be met. The OHRC suggests that organizations should follow human rights principles and Code obligations when implementing the AODA standards (Ontario Human Rights Commission, 2016). However, meeting AODA standards does not mean that an organization has met code requirements, or that the organization will not receive human rights complaints.

Organization B was also exempt from AODA requirements to document individual accommodation plans for employees with disabilities, but they chose to do so anyway. This is partly because the organization publicly shared their workplace policies and procedures as exemplars of inclusivity. Devin said, “I do the AODA Wizard once a month just to make sure that we’re complying.” The online AODA Compliance Wizard was designed by the Government of Ontario for organizations and businesses in Ontario to ensure their compliance with the AODA. The Wizard asks a brief series of questions, and based on the answers provided, it will populate a list of current and upcoming requirements for the size and type of business or organization specified. As the AODA is rolled out over several years, the Wizard was intended to support businesses and organizations to know exactly what actions they need to take to follow the law and avoid penalties. Devin said that she wanted to ensure that Organization B complied:

Because we have to set the standard...Anything that comes up from the AODA as soon as we find out about it we implement it. Because we want to not only be the gold standard but then we circulate it [to other organizations] ...I’m a very strong proponent of not reinventing the wheel. If you need an accommodation policy, why would you write it when [Organization B] did? So, you know, take it, modify it, do whatever you want, but here it is. This is the correct policy.

Organization B had a formal accommodation policy stating that its purpose was to be applied in accordance with the Code. The policy included key elements of the accommodation process, including the development, documentation and implementation of an accommodation plan. Brett said that they like to have an accommodation plan in writing to effectively support employees with disabilities. Brett believed “there’s so much value in [having a formal accommodation

plan]. It's more to protect the staff than anything else. But it's not just about putting it in a plan, it's [the effort] you put in." Brett also said that Organization B avoided involving "a lot of cooks" in the accommodation planning process. Usually, the accommodation planning process included Brett, the employee and the HR manager. Brett said, "We meet and talk about what the issue is, and we talk about possible solutions." Accommodation plans at Organization B were developed using a simple template.

As a large organization, Organization C was required to document individual accommodation plans for employees with disabilities. The organization's accommodation policy defined "Documented Individual Accommodation Plan" as "A formal written document detailing an accommodation plan and/or a return to work plan which may include: start date, end date, restrictions and limitations, details of job duty, hours and days of work and workplace modifications." According to the policy, and the employees and other organizational representatives who participated in interviews, there were specific roles and responsibilities for the employee, management, human resources and the disability management specialist, and the union. The accommodation policy stipulated that "An employee requiring accommodation is expected to conduct him or herself reasonably and to provide his or her co-operation to support the implementation of the accommodation initiatives." The word "reasonably" is important here because it hooked the employee's request into the interpretation and application of "reasonable accommodation" in the Code. The reasonableness of an accommodation request is based on the limit to the amount of hardship the employer is prepared to endure.

Organization C's accommodation policy also noted that employees were required to "communicate an accommodation need; provide all relevant and pertinent information; [and] co-operate with the implementation of accommodation measures and advise if any revisions are

required.” For example, if an employee took time off work due to injury or illness and an accommodation issue was identified, then HR and the disability management specialist would prepare an individual accommodation plan, and an individual workplace emergency response plan, among other tasks as required for the individual employee. The policy stipulated that the union “is jointly responsible for supporting the implementation of appropriate accommodation initiatives where employees can be accommodated as required.” Following this policy, the accommodation planning process involved a meeting between the employee, their direct supervisor(s), a union representative, a representative from HR and the disability management specialist.

According to Alex, a typical accommodation planning meeting started when the disability management specialist greeted and introduced everyone and described the purpose of the meeting. Next, the specialist reviewed information on the employee’s limitations according to the medical documentation received by the organization from the employee’s health care professional. The specialist confirmed with the employee that this information was correct and complete. Then the specialist and HR representative would present the accommodation plan to the employee. When they presented the plan, the employee (with the support of the union representative, if requested by the employee) could challenge the plan, call for a break to review the plan, ask questions, etc.

Notably, the OHRC Policy on ableism and discrimination based on disability states that, “Although the person seeking accommodation has a duty to assist in securing appropriate accommodation that will meet their needs, they are not responsible for originating a solution or leading the accommodation process” (p. 42). Further, “Contracting with a disability management company does not absolve an employer of responsibilities or liability if the accommodation

process is not managed properly” (p. 42). The policy also states that unions are required to take an active role as partners in the accommodation process, share joint responsibility with the employer to facilitate accommodation, and support accommodation measures, unless to do so would create undue hardship. Thus, Organization C’s process was following OHRC policy.

Alex told me that a union representative would contact the employee prior to the accommodation planning meeting to ask them, “How are things going? What are the issues...and ask the worker what they’re looking for, what they want, and what they perceive are some of the challenges [in the workplace].” The union representative would ask the employee if they wanted the union to advocate for them in the meeting or if they want to advocate for themselves. If they chose to advocate for themselves, then the union representative provided additional support to the employee. Alex said that usually these meetings “go pretty smoothly”. However, Alex also said:

Sometimes they’re a catch 22. [For example], sometimes you have the worker saying they can’t go back to their [frontline] job right now and want to be accommodated in a different [administrative] job. And the employer is saying ‘No we don’t see any [vacancies] here [in administration]. You’re going to go to front line.’...So that’s a fight sometimes. Sometimes the fight is the worker saying, ‘I’m recovered, I’m ready to come back to my front-line job.’ And the employer is saying ‘No we’re not seeing that you’re cleared so far, you can’t do the essential duties, we’re going to put you in [an administrative] department.’ [And the worker says] ‘What am I doing there? I’m ready to come back.’ So that’s a fight as well. There’s a situation we’re dealing with now. Its really sad. A worker has developed some cognitive impairments, they were a front-line

worker. With the cognitive impairments, the doctor has written that decision making abilities are impacted. [From the employer's perspective], you can't put someone who has decision making abilities impacted in the front line. There's really no vacancies for that person and they're off [on a leave of absence]. Sick leave has ended, and they applied for long term disability but have been rejected because long term disability says 'you're able to go back to work so it's not our fault that the employer doesn't have a vacant position for you. You're able to return. You're not totally disabled from work.' So now they are applying for EI sick benefits.

Alex pointed out that according to the reasonable accommodation process under the Code, the employer does not have an obligation to develop or create a position for an employee. The employer does have an obligation to consider placing an employee in a vacant position within the organization. The OHRC Policy on ableism and discrimination based on disability states the following:

The duty to accommodate may include some workplace reorganization. For example, it may require employers to consider placing an employee with a disability into a vacant position without requiring that person to compete for the position. The vacant position must be vacant within a reasonable amount of time, but the employer is not required to "promote" the employee. To the greatest extent possible, the vacant position must be equivalent to the current one. When reassignment takes place, the person must be qualified for the reassigned position...The duty to accommodate does not require the employer to completely alter the essence of the contract of employment, that is, the employee's duty to perform work in exchange for remuneration. The duty to

accommodate does not require an employer to provide “make work” or “to create a job that is not productive or that, in the employer’s view, does not need to be done.” Nor is an employer required to employ two employees to do the job of one. In the final analysis, the employee must be able to perform a useful and productive job for the employer.

(Ontario Human Rights Commission, 2016, p. 37)

This aspect of the OHRC Policy presents a potential loophole for employers to legally exclude employees with disabilities by limiting the availability of vacant positions. Further, this policy statement emulates features of the capitalist relations of production. The statement speaks to an emphasis on productivity, commented on above in relation to Jane’s work of being disabled at Organization C. This emphasis on productivity was also recently critiqued by disabled activist, Gillian Giles:

From a young age we are taught that our bodies and our purpose is to produce within effective normative means. That in order to be something of worth, you must prove productivity...In failing to be useful, we are told we are not of value or valued as less than. It is these bodies that fail to meet social standards of productivity that are most often marginalized. (Giles, 2017).

Giles notes that the idea of productivity is at the heart of capitalism (Marx, 1976) and is taken up in our capitalist society in such a way that:

The bifurcation of the normative abled bodied citizen and disabled one creates an assumption that a proper citizen is an able productive one, that the economic and social

value of personhood is conflated with restrictive notions of productivity...It is the inherent ableism of society, of capitalism's productivity, that teaches us that we must be of use, that we are tools to be used to produce and that our entirety, our purpose is hinged on a framework of productivity. (Giles, 2017)

Giles' comments hearken back to Marx's theory about the relations of production. These relations, according to Marx, are the connection between what is produced in society and the role that any given person has in the production of those goods and services. Marx described how workers, in a capitalist state, have been diminished to commodities that can be traded for their labour (Marx & Engels, 1961). This commodification estranges (alienates) workers from their essential human nature as they enter into some form of social relations with the owners of the means of production in order to have their materials needs met.

Surplus value is calculated on the basis of how much an employer gains from the productivity of their workers, after the employer has paid for wages and benefits (Harvey, 2014; Marx, 1976). Russell (2002) argues that when an employer considers the costs of accommodating workers with disabilities, their prospects of being hired and retained are lowered. This is because such non-standard costs of accommodation and perceived health care premiums, increases in liability or WSIB premiums, and assumed lower productivity from having workers with disabilities on the payroll, are purported to have a negative impact on surplus value (see also, Deveau, 2008). Eickenberry and Kluver (2004) cite Ryan (1999) to suggest that smaller surpluses for non-profit organizations means less money to reinvest into additional services for the community. As a result, these authors suggest that market-based values have replaced the benevolent spirit of organizations with a focus on the bottom line.

Baines (2006) similarly argued that prior to the introduction of new public management, social service workers had a relatively large amount of discretionary power with unique rewards and identities as social citizens. Baines suggests that “this identity and power formed the basis for direct conflict between this group of workers and [new public management] schemes that tightly quantified services and curtailed opportunities for workers” (p. 199). New public management has introduced performance-based measures of workers in the NPSS that reflect capitalist concepts of productivity. This means that a wide range of quantitative performance indicators and management systems exist in social services agencies in Canada” (Baines, 2006b, p. 200). Financial and operational targets of this sort can make it difficult for organizations to address the unique, sometimes time-consuming needs of disabled workers or service users who require additional support. These targets borrow from private-sector performance management models whereby workers are placed in competition for efficiency and productivity. Baines suggests that private sector models present challenges for employers in the NPSS such as increasing precarity. While precarious work was not identified as a challenge at Organization C (nor Organization A and B for that matter), Jamie described other challenges from the employer’s perspective at Organization C:

One of the things I find more challenging is getting employees to think about the fact that they may need to modify their expectations around some of the [accommodation] pieces, mostly from our point of view. [For example, some] people feel like they want to make full time wages, but they can only work [part-time] ...So we might say, ‘Yeah, we can absolutely accommodate this [request], but we can only accommodate on a 3 day a week basis’. It’s usually because of the restrictions they [the employee] have. But then they

want the other 2 days paid and we can't fiscally do that. So those types of things become more challenging conversations to have with employees and the union...In the non-profit sector...and I don't want to grossly generalize this, it's very few, but especially in this field, there's a socialist sort of feel. You know, the public is paying for it, so it should be OK if they get full time pay for part time hours. Because we're not paying for it. Like its not affecting your bottom line. But it is affecting our bottom line. So, there's a real balance and challenge for me in my role to ensure that we're using taxpayer money appropriately and that we have enough people to do the work that we need to have done.

The challenges Jamie described are not unique. Similar to issues related to new public management in the NPSS (e.g., Baines, 2006b; Deveau, 2008; Kelly & Caputo, 2011), Van Ymerman and Lalande (2015) found that in Ontario, non-profit organizations are placed under increasing pressure to demonstrate financial responsibility with respect to organizational efficiency and outcomes in their communities. Van Ymerman and Lalande argue that non-profit organizations should have the flexibility to make the investments needed to support staff in carrying out new demands for community outcomes.

As new models of funding, governance and accountability are introduced in the sector, it is important that the outdated legislative and regulatory structures that govern NFPs [non-profit organizations] and charities are also updated to ensure that organizations can effectively carry out their missions. (Van Ymerman & Lalande, 2015, p. 23)

These authors also provide evidence that low administrative costs can be counterproductive to

community outcomes. Looking across the non-profit sector, it is difficult to understand what the ideal range for administrative costs should be to make organizations effective. “Investments in the people, processes, and technology that fall under the rubric of ‘administrative costs’ can improve efficiency over time” (Van Ymerman & Lalande, 2015, p. 23). For instance, a one-time investment in technology can reduce ongoing staffing costs by eliminating duplicative intake, data entry, or reporting processes, as well as save on worker’s compensation or other insurance costs (Tompas et al., 2016; Van Ymerman & Lalande, 2015).

At the same time, the OHRC’s Policy on ableism and discrimination¹⁰ (2016), further notes that human rights case law:

makes it clear that the purpose of the Code is to accommodate a person’s needs, not their preferences. If there is a choice between two accommodations that respond equally to the person’s needs in a dignified way, then the accommodation provider is entitled to select the one that is less expensive or less disruptive to the organization. (p. 34)

With this in mind, the discussion turns next to the process of implementation and monitoring of accommodations.

Implementing, monitoring and reviewing accommodation. Previous research suggests that accommodation policies and procedures should incorporate an iterative process of development, implementation and review (Padkapayeva et al., 2016). As illustrated in the diagram by the Conference Board of Canada (2012) accommodations may be reviewed regularly

¹⁰ The Policy cites *Graham v. Underground Miata Network*, 2013 HRTO 1457 (CanLII) at para. 31; The duty to accommodate does not require an employer to promote an employee to a higher-level position he or she would not otherwise have been entitled to: *Ellis v. General Motors of Canada Ltd.*, 2011 HRTO 1453 (CanLII). The duty to

to determine whether the accommodation is appropriate and overcomes workplace challenges; whether the nature of the disability has changed, requiring a different measure; and/or the workplace has changed, creating new challenges. This process appears to have taken place at all three organizations and was touched on in the earlier sections. This process is also part of the requirements of the AODA employment standard (with specific reference to performance management, career development and redeployment) and the Code. Under the Code, employees with disabilities must work with the accommodation provider on an ongoing basis to manage the accommodation process. Employers must communicate regularly and effectively with the person, providing updates on the status of the accommodation and planned next steps.

Previous research and the present study found that it can be trying for employers to implement accommodations for people with psycho-social and other non-evident impairments (e.g., Treviranus, 2014). Previous research suggests that material adaptations for people with physical and sensory impairments, such as furniture, ramps, parking, adaptive equipment, etc., may be rendered more frequently than immaterial adaptations such as work schedules, job functions, personal assistance, etc. (Harlan & Robert, 1998). Immaterial adaptations may be more commonly required among people with psycho-social or other non-evident impairments. Harlan and Robert (1998) suggest that such immaterial accommodations may be perceived as undermining the conventional authority of managers, or disrupting traditional class-based divisions in the workplace. The experiences of employees with disabilities in this study suggest that immaterial accommodations, particularly those that require behaviour change among co-workers and managers, are particularly challenging.

For instance, Faith described how she encountered resistance from her co-workers when

accommodate also does not require “an employer to place an employee in the position that the employee considers ideal...”: *Seguin v. Xstrata Nickel*, 2012 HRTO 15 (CanLII) at para. 11.

they were required to “do anything for somebody because of an accommodation”. Faith said her accommodation plan allowed her to flex her daily scheduled hours, which meant that her co-workers were asked to “cover” some of her responsibilities. Faith said that when this accommodation was implemented, one of her co-workers “wasn’t too happy about it.” Faith said that her co-worker’s reaction caused her some emotional distress. Faith described:

That’s the emotional thing that I have to deal with and I have to cope with...It’s anxiety about this. It’s difficult when someone’s thinking that [my accommodation] is an inconvenience. But you know, we all have to cover for everybody at one point or another, disability or not...I think that’s just part of relationships with co-workers.

Faith also described how she received “the cold shoulder” from some co-workers as a form of “retaliation” when they were asked to change their behaviour to accommodate Faith’s needs.

Brett and Devin both acknowledged these issues among co-workers in the workplace and were trying to address them proactively. Brett described:

How I approach my staff...we’re really proactive, and there’s always room for improvement but we try to be really vigilant. One of the things that we’ve changed is how we manage the work. We work more with workplans with staff, regularly, and try to identify pressures, concerns, and that kind of thing...For example, we’re now in a process of investigating and completely looking at how we distribute [workloads], and how we actually create a team [to support each other]. So, the way that the job descriptions have been set up, and the way that division of labour has been set up, may or may not be

problematic from a disability accommodation perspective. But we're looking at it from more of a universal design perspective. Like let's just start from scratch. Let's just figure out a model that will alleviate some of the potential barriers and some of the accommodation issues that we're experiencing and just try to wipe the slate clean and create something...more workable given some of the needs around the table. And so, the needs themselves are not going to be part of the bigger conversations that happen with the staff. But from a management perspective, they're alive and well, and that's what I'm thinking of.

While Brett uses the term “universal design”, it appeared that she was working toward an inclusive design approach to workplace accommodation (Inclusive Design Research Centre, 2017). Brett worked on creating a one-size-fits-one model that recognized the diversity and uniqueness of each individual worker. Brett's willingness to “wipe the slate clean” to consider “the needs around the table” represents a process of inclusive design in the way the workplace is structured and how it functions. Brett talks about increasing awareness of the context of the work conducted at Organization B and the broader impact of any accommodation to affect a beneficial impact beyond the intended beneficiary of the accommodation (i.e., employees with disabilities).

Susan said that Brett's approach had made a difference in the office dynamics over the past few years. Susan commented that employees could approach Brett, share their concerns and have those concerns addressed. Susan said:

When [Brett] started [as executive director] it was more about going to Brett's office and just saying ‘This is what's going on. What are your thoughts? What can I do?’ And if

something were to occur, Brett's proactive. [Brett] will say 'How are you feeling today? Do you need to take some time off?' It's just a conversation that [Brett] initiates. And people [employees] can say 'You know what, it's a really bad day.', or 'No I'm OK. It's really busy and I'm a little bit stressed but it's part of the job.' It's an open communication line that makes the biggest difference. And that feeling of being part of a team is, I think, the most important. [Before Brett started], I think what happened before was really divisive. There were favourites and they were [employees] who didn't have disabilities. And then there were others, and we all knew that we had disabilities. And we were sort of the footballs, and the others were like Lucy behind the psychiatrist desk. So that is what the difference was.

Susan's experience reflected the felt impacts of a supportive senior leader who worked to create an inclusive workplace. However, as Faith's earlier excerpt indicated, attitudinal change takes time.

Social exclusion and harassment from supervisors and co-workers are prime examples of resistance to workplace accommodations and inclusion of employees with disabilities (D. L. Stone & Colella, 1996). At Organization C, Anna described that her accommodation plan included a placement into her current job. She said that some of her co-workers and another supervisor "didn't like me because I came to the job through an accommodation". She said that many people did not know that she was placed in her role as part of an accommodation plan, and perceived it as preferential treatment because it was "one of those sought-after positions" that other staff wanted to be in. Previous research suggests that the climate resulting from downsizing, reduced funding, and surveillance (such as in the NPSS) can give rise to the

perception that anybody who gets anything extra in the workplace is receiving preferential treatment (Deveau, 2008; D. L. Stone & Colella, 1996; Van Ymerman & Lalande, 2015). As the problem of disability is often thought to be located in the individual, accommodations can be mistaken for allocations of special privileges (Oliver, 1990a). This stems from neoliberal values that promote competition between individuals in the labour market (Oliver, 1990a). Recognition of “the fact that our workplaces have been developed and designed for able-bodied people, and that people with disabilities are automatically at a disadvantage, are absent from this [neoliberal] paradigm” (Deveau, 2008). In this way, employees’ reflections on their experiences in the workplace was, for some, a reflection from outside themselves. Their descriptions of their experiences at work emulated the tension at the line of fault between the experiential and ideological way of knowing disability in the workplace. This relates to what Smith describes as “the structuring of [our] selves not as subjects, but as other” (D. E. Smith, 1987, p. 52). Like when Anna started crying as she reflected on her process of returning to work with accommodations:

I don’t want people to think I’m taking advantage. It makes me cry thinking about it.

[*Anna starts crying*] When you have a disability, I guess part of it is there’s a sense you

have to prove yourself. [*Anna paused to collect her composure, reach for a tissue and*

continued with the interview] And nobody puts that on you but yourself. I don’t like

crying. But there’s almost that sense that I don’t want to be different. I don’t want to be

treated differently, but because I am different, I don’t want you to think less of me. I’m a

really hard worker. I’m a really good worker.

Anna's emotional reaction showed how the ideology surrounding employment - produced by a primarily non-disabled workforce - can dominate and penetrate our social and individual consciousnesses. This ideology ruled the process of accommodation in ways that denied expression of the actual experiences of people in the working relations of their everyday world. Anna said that she returned to work earlier than she wanted to and while she still felt unwell. She did this because "It was like yeah I'm in pain, [but] I'm not going to take advantage of the system...It's my inner self feeling like I know I'm a good worker and just let me do my good work. But when I have co-workers who I feel question that..." Anna continued to describe her experiences of social exclusion from a co-worker who she described as a "bully".

My co-worker, who [also had] a mental health breakdown, and I are very funnily the two people that the bully never, of course, invites out and the [rest of my co-workers] will go for lunches or whatever and the two of us will not be included. In fact, there was one lunch where I was in the office with the bully and [another co-worker]. It was only the three of us in the office for the day...At lunch time, the office was empty, and I thought I'm gonna go out and grab a bite, it's a nice day. I happened to walk past a patio on the street and they were sitting out on the patio, the two of them, knowing that I had been in the office. So, I walked past them and said, 'Thanks so much for the invite guys.' And kept walking past and went for lunch. And the [other co-worker] had seen me walking up and said 'Oh there's [Anna] I'm going to invite her to join us.' And the bully said, 'You invite her and I'm leaving.' So, my sense is [my co-workers want] to stay out of being seen in association [with me]. There's this cliquing off, and it's funny that it's the two people with mental health issues that are being ostracized by the team. The [other co-

worker] told me she used to be close with the other person who had the breakdown and said when that person came back [to work] she avoided her because ‘It’s important who you’re seen with in the agency.’...So its about the optics here.

Anna’s experience of social exclusion was characterized by processes of group and individual isolation within her work team. Her reference to her co-worker’s concern about “who you’re seen with in the agency” was an evocative example of what Foucault described as the modus operandi of the “positive practice” of power (Foucault, 1995). Anna’s co-worker’s concerns about optics in the organization was a demonstration of how “the gaze of authority that judges what it sees and, in so judging, controls the choices of those who are gazed upon” (Labonte, 2009, p. 271). Thus, Anna’s experience was a representation of the relations of ruling that categorize people.

Anna’s anger over this exclusion from her co-workers at Organization C was apparent in her tone of voice and body movements as she described her experiences during her interview. In fact, as she told her story, she said, “This sounds awful because it’s starting to sound like I’m the one having the consistent problem with so many different people and it’s kind of looking like the finger’s pointing here [*Anna pointed to herself*].” Anna expressed her comments apologetically to reflect her consideration that the challenges she described were individualized and within her self. She considered the possibility that she was the cause of her relational struggles at work. Anna said she had been “looked at badly by all kinds of people across [the organization]” and believed this was because she advocated for the inclusion of diverse workers in the organization’s equity and diversity committees. Anna said it had taken several years of advocacy for her to see change in representation among leaders of the organization’s diversity strategy.

Indeed, Labonte (2009) points out that “Anger is often the magnet of mobilization; mobilization is often the tool for social transformation that shifts power relations in ways that allow societies to become more inclusive” (p. 273). Social exclusion, on the other hand, is a dynamic process of inequality among groups in society. Over time, exclusion structures access to critical resources that determine the quality of membership in society and ultimately produce and reproduce unequal outcomes (Galabuzi, 2004). According to Galabuzi, this concept is embraced by neo-Marxist scholars, as well as, “mainstream policy-makers concerned about the emergence of marginal subgroups who may pose a threat to social cohesion in industrial societies” (p. 253). According to the Marxist tradition, social exclusion is a by-product of a form of unbridled accumulation whose processes commodify social relations and validate and intensify inequality. In this way, social exclusion is an expression of unequal relations of power among groups in society, which then determines unequal access to social resources and community participation - as experienced by Anna.

Managers at Organization C worked to foster behaviour change but experienced challenges surrounding these efforts. Jamie told me that attitudinal barriers in the workplace were one of her biggest challenges to inclusion of employees with disabilities. Jamie said the HR department was working to “change some thinking at the director and supervisor level around our practices in recruitment. The other piece, I think, is that sometimes our diverse staff haven’t been given the opportunities to participate or be groomed and mentored in the same way that other staff have.” The HR department was working to identify needs and effective processes for leadership development of diverse staff in the organization.

Jamie said the HR department has support from senior leaders to promote this organizational change. Jamie said, “It’s really from our CEO, who is very committed to

addressing this; and our COO and CFO and certainly [our diversity manager] and I are on the same page. I'm very interested in understanding more about why things are the way they are."

To help in this understanding about "why things are the way they are", Alex described the union's perspective on supervisor and co-worker reactions to the implementation of accommodations in the workplace. Alex said:

There are a couple of accommodations where our employer is really slipping and has no idea how to accommodate, or how to address them. I'll give you an example. I've mentioned [some of the challenges supporting employees with] mental health like bipolar, depression, scent allergies...Supports to [these] workers are non-existent and almost oppressive. Because let's say you suffer from a scent allergy and you don't know but it's constant. They're [the employer] says, 'We're going to move you into this room then.' So, it's like OK that's not what accommodation is for, especially when there's a policy for scent that should be enforced. That's like you saying, 'I'm being harassed by some of my co-workers.' 'No problem. We got a solution, we're gonna move you there [to a different location] so now you're not harassed by anybody.' vs. 'This is a harassment free workplace, let's see if we can [deal with the source of the harassment]'...You know, I've always said that we don't know what people deal with until we walk in their shoes. So that's how most of our workers with disabilities and accommodations feel. Our able-bodied workers have no idea at times. We are constantly doing education with our members...We talk to them about the importance of accommodating workers. We talk to them about why on a team of five, [there's one person] carrying three cases when everyone else is carrying 20. We talk to them about

how it's natural to feel some level of frustration with that because you don't know [that a co-worker is disabled], but once you know you're fine. But, there's also something called confidentiality and there are reasons behind that. So, the education that we do is [to inform members that] just because you see a team member doing half the caseloads that you do...or whatever it be, it's not them being lazy, or fake because they're not really disabled or [don't really] have an issue. It's because of accommodations and we as a union support, and you need to know that your union supports these workers.

Here, Alex critiqued the individualized approach to accommodations that had been taken up at Organization C. Alex also referred to the union's efforts to dispel some of the myths about disability fraud to address attitudinal barriers to effective implementation of accommodations and an inclusive workplace.

Alex described myths based on a public discourse implying that workers will fake disability to cheat the system.¹¹ Several authors suggest the political division between those who are deemed worthy or unworthy for disability supports and welfare hearkens back to the English Poor Law Amendment Act of 1834 (i.e. New Poor Laws). For example, Borsay (2005) describes some of the long-lasting impacts of the Poor Laws for people with disabilities. Borsay describes how “since the Industrial Revolution social policies have created and sustained the discrimination that continues to make disabled people excluded citizens” (p.1). During the years of the New Poor Laws, the “undeserving” and the “deserving” poor were distinguished as two separate groups (Borsay, 2005). The “deserving” included people with disabilities who were excused responsibility for their poverty. The workhouse was a place where those who were

¹¹ See also <https://takingnote.blogs.nytimes.com/2015/09/08/busting-the-myths-about-disability-fraud/?mcubz=1>

unable to financially support themselves were offered accommodation and employment.

According to Borsay, the purpose of the workhouse was “to implement the principle of economic rationality by extracting labour from the able bodied unemployed and teaching them the virtues of the work ethic” (p.42). Yet the able bodied unemployed were the minority and the majority were people with disabilities, some of whom were compulsorily detained because of mental impairment. Wright (2000) pointed out that the English workhouse became increasingly divided and segregated with a disproportionate representation of people with learning disabilities. People with learning disabilities were shifted back and forth from asylums to poor law workhouses and ignored by the system because policy makers and poor law workers did not know what to do with people who were “incurable” yet harmless. The research presented here shows that employers and non-disabled workers continue to struggle with what to do with people with disabilities in the workplace.

Several other authors (Frazee, Gilmour, & Mykitiuk, 2006; Oliver, 1996; Rioux & Prince, 2002; Withers, 2012) have examined contemporary policy measures and relevant actors that serve as gatekeepers of supports for people with disabilities. These authors critique the power of the medical profession in determining eligibility for disability supports as a mechanism that defines people with disabilities based on their individual needs as opposed to environmental disadvantages. For example, Frazee, Gilmour and Mykitiuk (2006) describe the “clinical encounter” of people with disabilities who wish to access formal supports. This encounter is part of the accommodation process at Organization C. Frazee, Gilmour and Mykitiuk describe this encounter as such:

Health professionals assess a person's impairments (the gaze), evaluate the extent to which she is prevented from participating in the life of the community (the dialogue), and reports that determination with supporting documentation and reasons to program administrators (the judgment). (p. 240)

The authors argue that this process is not undertaken for therapeutic reasons. Rather, a clinical judgment that the person is substantially disabled is required before accommodation or benefit providers will accept that a person is entitled to some form of disability benefits. The authors note that a "perverse result" of the disability determination process is that an individual's personal experience of ability "must be buried or she runs the risk of being disqualified for benefits despite her obvious need for assistance...In short, the gaze may be internalized" (pp. 242-3). The authors conclude with recommendations for further exploration of strategies of active resistance to the dominant and oppressive meanings assigned to the status of disabled people. Thus, negative attitudes and stereotypes about disability are based in a history of exclusion and public discourse that diminishes the capacities and abilities of people with disabilities and makes it difficult to be deemed disabled enough to receive support. The use of medical documentation in the accommodation process at Organization C may be sustaining these attitudes and myths.

On the other hand, there were efforts at Organization C to change these attitudes and promote critical awareness of disability through forms of education. For instance, Jamie said:

Again, it's having conversations with [employees with disabilities] to say 'What do you need from us? How is that affecting you? What could we do differently?' What do we

need to do to keep them successful? Is it equipment that's needed or otherwise, there are so many things we can do.

While this was a positive step toward greater inclusion of employees with disabilities, Alex suggested that these conversations needed to go further toward the idea of problem-posing education (Freire, 1996). As Freire theorized, problem-posing education takes place through open dialogue between teachers and students so that teachers become students and students become teachers. It is a method of teaching that emphasizes critical thinking for the purpose of liberation.

Alex described the need for an accommodation process at Organization C where both the employer/management and employees learn and change together; a process of reflection and action to transform the circumstances of oppression. Freire emphasizes the need to work with the oppressed and not for them. His pedagogy is intended to be instrumental for the critical discovery of how the oppressed and their oppressors are manifestations of dehumanization. He notes that "This, then, is the great humanistic and historical task of the oppressed: to liberate themselves and their oppressors as well" (Freire, 1996, p. 26). Freire refers to the "fear of freedom" perpetuated by oppressors and experienced by the oppressed to prevent engagement in transformative action and social change. Applied to the situation of workplace accommodation for disabled workers, "The solution is not to 'integrate' them into the structure of oppression [which is how the accommodation process currently operates], but to transform that structure so that they can become 'beings for themselves'" (Freire, 1996, p. 55). In other words, the solution is for disabled workers and their employers to transform the way workplaces are designed and operate, so as to meet the needs of all types of workers from the outset (Deveau, 2011).

In their endeavours to secure workplace accommodations, employees described the successes and challenges they experienced. Some were familiar with the policies that were activated to develop and implement their accommodation(s); others were not. Some relied on the help of their union or doctor, while others found support from their supervisor, manager, co-workers, HR representative or executive director.

While each went about it in their particular way, all of the organizations provided various forms of accommodations for employees with disabilities to do their jobs. Approaches to accommodations were broad or specific; proactive or reactive; or some hybrid approach. In general, once an employee made a request for accommodation, the subsequent steps proceeded in a pre-determined sequence. The next chapter will illustrate these sequences as forms of social organization mediated by texts.

Chapter Seven: Textually Mediated Social Organization at Work

By exploring the relations of employment among employees with disabilities in the Ontario NPSS, this study has begun to extract forms of organization that coordinate employees' everyday activities at work. Starting with insights gained from interviews with employees and other organization representatives, accommodation policies and processes became visible as the focus and paramount concern of the organization's work with disabled employees. The subsequent analysis looks closely at each organization's accommodation policies as "active texts" to discover how these texts link with employee's everyday experiences at work and trans-locally organized practices. Following Prodinger and Turner (2013), these texts have been mapped as they occurred (i.e., were "activated") in the course of the accommodation process. This also included how higher order "governing" texts came into play. These higher order texts are labour market policies pursued by the Ontario provincial government and influence the potential of the NPSS to be an inclusive employer.

Mapping the Accommodation Process

The following few sections compiles the sequences of action involved in the accommodation processes at Organization A, B and C described above. This is a formulation of text-based social relations that sees texts as essential coordinators of institutions. It recognizes the capacity of texts to produce and organize people's activities in local and particular sites (Turner, 2006).

Mapping institutions as work and texts is unlike other forms of graphical mapping of organizations and institutions. It does not produce, for example, a chart of organizational structure, map of job descriptions, work flow analysis, or diagram of a social network.

Rather, the analytic procedure results in an account of the day-to-day text-based work and local discourse practices that produce and shape the dynamic ongoing activities of an institution. (Turner, 2006, p. 139)

The proceeding descriptions and diagrams are, of course, not exhaustive. “There is always more that goes on than we can see and make visible in this kind of textual representation” (Turner, 2006, p. 146). The standardized texts mapped here are the essential regulatory devices that were identified during interviews that brought into existence the activities constituting and organizing the accommodation process.

Organization A. At Organization A, employees seeking accommodation made their request to their manager, who forwarded it to the executive director. This request activated Organization A’s Human Resource Policy and started the accommodation process. While Organization A did not have a broad and explicit accommodation policy, workplace accommodations were noted implicitly in the Human Resource Policy. According to the general personnel practices outlined in this policy:

[Organization A] is committed to undertaking initiatives to ensure equality in employment which include, but are not limited to, measures to identify and remove barriers to the selection, hiring, promotion and training of women, aboriginal peoples, persons with disabilities and visible minorities...In addition, [Organization A] fully supports efforts that identify and neutralize any past or present discriminatory practices in all aspects of employment and advancement. For this reason, the policy of [Organization A] is to incorporate into the employment practices the meaning and intent of the Ontario

Human Rights Code and any other relevant legislation.

This statement reflected the organization's commitment to the Code and its conceptualization of accessibility. That is, there was an analysis of the historical and contemporary dynamics of unequal relations between women, Indigenous peoples, persons with disabilities and visible minorities that implicitly and explicitly define the conditions of employment. This expressed conceptualization connected the social subjectivities of their employees and their relative power, voice and positioning in relation to their employment and the broader community. There was an expressed awareness of how the environment was already shaped for those unquestionably thought to be the norm (i.e., the non-disabled).

Bhimani (2017) blogs about how this critical conception of accessibility reflects an organization's understanding of "how people and their experiences are socially and politically constituted in relation to each other, even within a community with a shared identity." Such analysis is foundational to a more nuanced conceptualization of what employment and accommodations need to be and for whom.

Accessibility then, is directly entangled with social realities and the biases, barriers, and inequities experienced differently within social minority groups. Accessibility [and accommodations] must be framed with a clear view of how social markers of difference intersect to inform experiences of access.

Within this conceptualization, Organization A's human resource policy also stated:

[Organization A] endorses a program of alternative work arrangements within a

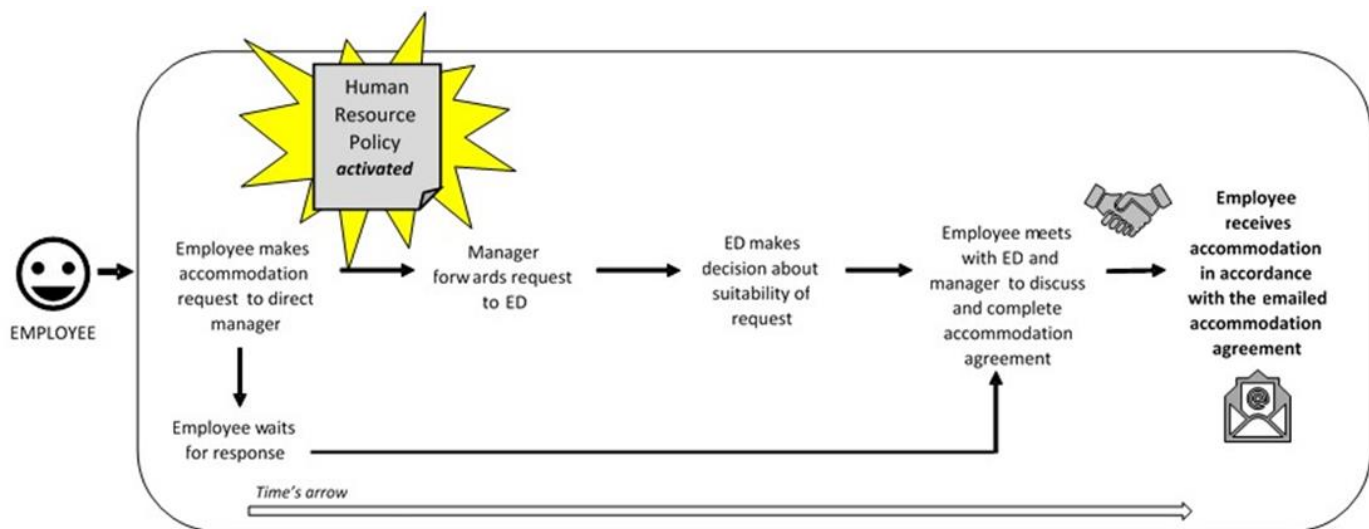
framework of [the organization's] core [office] hours. While the opportunity to work alternative hours will not be unreasonably withheld, each position must be considered on an individual basis. Should it be determined that alternative work arrangements are not in the best interest of a position and the work to be accomplished, then that position would not be eligible to participate in the program. Through an alternative work arrangement an employee can design, with advance approval of the Manager and the Executive Director, a work schedule within the established guidelines. Once the Executive Director and employee have agreed upon the arrangement, then the arrangement agreed to will be considered to be the standard for the individual in the specific position at the time of approval and may not be changed without the Executive Director's prior approval.

The executive director considered any such requests and would make a decision regarding the suitability of accommodation(s) by taking into account the individual needs of the employee, the costs of the accommodation(s) and the organization's budget, the employee's job requirements, and staff health and safety in accordance with the provisions of the *Occupational Health and Safety Act*, 1990 and the *Employment Standards Act*. Organization A encouraged employees to be as open as possible about their accommodation needs by verbally asking about their needs upon hiring and through ongoing informal conversation with all staff. Management verbally encouraged staff to request accommodations. After determining the suitability of the accommodation request, the executive director and the employee's manager would engage in informal dialogue with the employee about the implementation of the accommodation. This was a discussion about implementation strategies that would best meet the needs of the employee and

the organization.

Typically, accommodation requests and approvals were sent via email between the employee, their manager and the executive director. This was considered the accommodation agreement (another active text). The executive director held primary decision-making responsibility for approving and/or revising accommodation agreements. At any time, the accommodation agreement could be reviewed by the employee or the organization. Changes to the accommodation would require a similar process of ultimate approval by the executive director. The Human Resource Policy also stated that, “Employees should be aware that in the event of a transfer or promotion to another position within the organization, his/her current alternative arrangement is not automatically transferable to the new position and a new agreement may need to be established with the Executive Director.” Figure 4 depicts this process.

Figure 4: The social organization of the accommodation process at Organization A

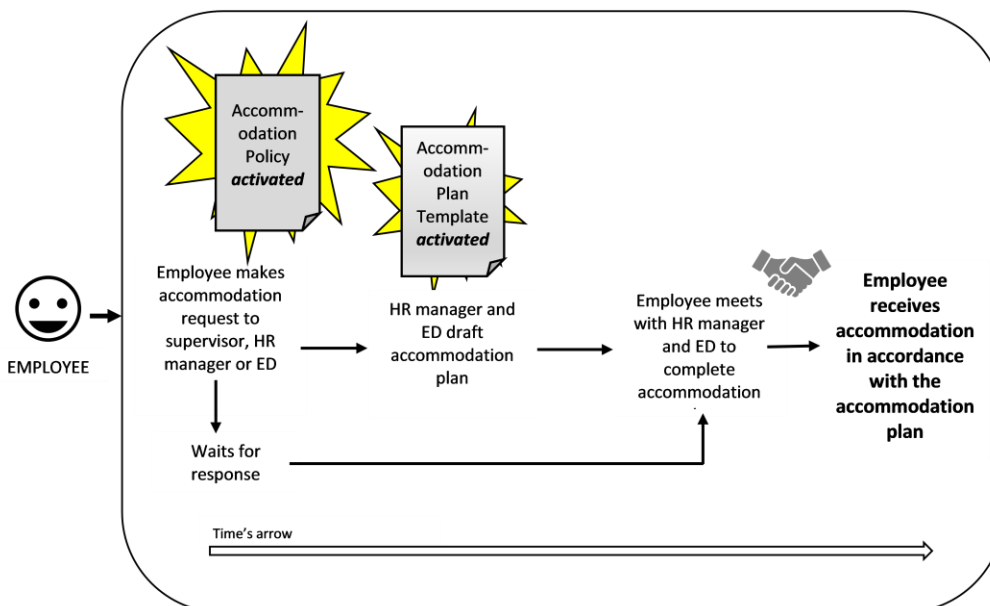


Organization B. At Organization B, employees seeking accommodation were required to communicate their need for accommodation to either their Supervisor, the human resource manager or the Executive Director to begin the accommodation process. This request activated Organization B's accommodation policy. According to this policy, the employee was "encouraged to be as open as possible about their accommodation needs. This included providing information about existing barriers to performance or participation, accommodation options and objectives of the accommodation. This information was used by human resources and the executive director who made a record of the accommodation request which was kept confidential and separate from the employee's confidential personnel file. This information was also used to draft an accommodation plan using Organization B's Accommodation Plan template as an active text. Next, the executive director and human resource manager would invite the employee to a meeting where they discussed the draft accommodation plan. The plan template was used to document the employee's name and title, the name(s) of the supervisor(s), the date of the meeting and the scheduled date for reviewing the accommodation plan and process. The template was used as a tool to document the employee's identified accommodation needs, the actual accommodations to be provided and the process for implementing those accommodations. The template also included space for comments from the employee. Once this was completed according to the needs of the employee and the organization, the form was signed and dated by the employee, executive director and the supervisor (as appropriate). This process could take several minutes, days or weeks depending on the accommodation(s) requested, the needs of the employee and the available resources at the organization. When this process was complete then the accommodation plan and process were implemented. The plan and process were considered a flexible, living document that was monitored by the employer and employee and was subject to

change in order to meet the potentially changing needs of the employee or the organization. Brett and Devin said that this work was organized and set up in this way, as a standardized procedure, so that the accommodation process followed the Code's guidelines on the duty to accommodate. As such, the process produced a standard, yet personalized, official accommodation plan.

The accommodation policy also triggered actions by the human resource manager and executive director to review the organization's systemic accommodation and accessibility. The accommodation policy included a section on systemic accommodation/accessibility such that: "[Organization B] understands that discrimination is often systemic and is committed to undertaking a critical examination of its own practices and taking positive measures to ensure that employment and participation opportunities with [the organization] are available without discrimination." This refers to the organization's proactive approach in providing an inclusive space and inclusive services for employees and service users with disabilities. This statement also reflects a conceptualization of accessibility that is similar to Organization A such that Organization B explicitly recognized the need to address systemic discrimination. Figure 5 depicts this process.

Figure 5: The social organization of the accommodation process at Organization B



Organization C. At Organization C, the employee seeking accommodation was required to communicate their need for accommodation through their supervisor, the union or the HR department to begin the accommodation process. This request activated Organization C’s Disability Accommodation and Return to Work Policy. The policy stated that:

[Organization C] is committed to maintaining an inclusive workplace, and to providing workplace accommodation and return to work support as required under relevant legislation such as: the *Ontario Human Rights Code*, the *Workplace Safety and Insurance Act*, the *Occupational Health and Safety Act*, and the *Accessibility for Ontarians with Disabilities Act*.

According to this policy, the employee was required to “communicate an accommodation need; provide all relevant and pertinent information; Co-operate with the implementation of accommodation measures and advise if any revisions are required.” When an employee made an

accommodation request, this request was forwarded to the HR department (unless the request was made directly to a representative in this department). The human resource department would share this request with the organization's external disability management specialist. A representative from HR and the disability management specialist would, together, act as the main contact for all stakeholders including the employee and their supervisor.

At this time, the HR department would usually ask the employee to provide information from a medical professional (e.g., their doctor). With the employee's permission, the disability management specialist would send a letter to the employee's doctor requesting confirmation about the "functional abilities" of the employee. The consultant would include a Functional Abilities Form (an active text) to be completed by the employee's doctor. The consultant sent information to the doctor about the cognitive and physical demands of the employee's job. The doctor was asked if there were any physical or cognitive job demands of the job that the employee could not do.

The information provided by the medical professional was received by HR and the disability management specialist who compared it to the bona fide requirements of the employee's job. This process activated Organization C's Job Demands Analysis document. This document included information on the essential tasks, sub-tasks, social/environmental and ergonomic concerns of the position. The document also includes information about the psychological, cognitive, and physical demands of the position which are rated on a scale of: 1 to 4 whereby 1 = Not applicable; 2 = Minimal exposure to demand - not daily; 3 = Moderate exposure to demand - occurs daily or in such frequency/intensity to be considered essential for daily demands; 4 = Constant, severe or frequent daily exposure to demand.

HR and the disability management specialist determined whether the employee's

functional limitations (as noted by their doctor) were bona fide requirements of their job (as noted in the Job Demands Analysis). If they were not, then the employee would likely be accommodated in their current position. If their limitations were considered to prevent them from completing the bona fide requirements of their job, then they could be accommodated in another vacant position within the organization. This process led to a draft Accommodated Work Plan using Organization B's Accommodated Work Plan template (another active text). The plan template was used to document the plan's objective, the position offered to the employee, the location of that position, who the employee would report to, and the name and phone number of the employee's doctor. The template was also used to document the status, start date and review date of the plan. Other details included in the plan template was a section for information on the employee's functional restrictions and limitations, which could include information from the employee's doctor received by the organization and the disability management specialist. There was also a section for details about the accommodated work plan activities, and, as appropriate, the accommodated work plan schedule. There was space for additional comments about the plan.

According to Organization C's Accommodation and Return to Work Policy, the HR department retained medical reports and documents relating to the employee's accommodation, including the accommodation plan, documentation of meetings, support notes, etc. All plans, reports, and documents were kept in a secure location, separate from the employee's personnel file.

The plan was drafted by the disability management specialist and presented to the employee in a meeting. This meeting always took place when an employee was returning to work from an injury or illness. As described in the section above on "Writing a formal accommodation plan", when the plan was prepared, a meeting was held with the employee, their

direct manager, a human resource and union representative, and was facilitated by the disability management specialist. The employee was asked to review and sign the plan. The employee's supervisor also signed the plan, and as applicable by a union representative, the disability management specialist or HR representative and the employee's doctor.

According to Organization C's Accommodation and Return to Work Policy, the employee was required to "co-operate with the implementation of accommodation measures and advise if any revisions are required". The employee's supervisor was required to "ensure that the accommodation meets with the employee's level of ability to determine that the work is safe and suitable". HR, the disability management specialist and the union were jointly responsible for "supporting the implementation of appropriate accommodation initiatives". The Policy further stated:

Successful accommodation requires the support and commitment of everyone in the workplace. All employees are expected to provide assistance and support where required to facilitate accommodation initiatives. All employees have an obligation to respect the right to accommodation of any employee with a qualifying need.

Organization C's Accommodation and Return to Work Policy defined accommodation as:

Any change, modification, adaptation or adjustment to the job duties or the workplace, to enable an employee to perform the essential duties of a job in a healthy and safe manner. This includes but is not limited to temporarily reduced hours and reduced workload, and /or provision of assistive devices. Reasonable accommodation may consist of duties that

are not part of the employee's regular work duties. Additionally, it may also include graduated work hours or transitional work, which assist employees to return to work on a graduated basis starting with reduced hours over a reasonable period of time. Reasonable accommodation may also include accommodated work duties in his/her job.

This relatively narrow conceptualization of accommodation, limits recognition of the histories and cultural forces that design inequities within institutions and which relationally shape individual and group identities, positions, interests and needs (Bhimani, 2017). However, this recognition is evident in the organization's Anti-Oppression Anti-Racism Policy which states the organization's commitment to:

Anti-oppression, in combating all facets of racism, classism, sexism, heterosexism, ageism, disableism, etc., begins with the premise that there are inequities in power that pervade all social relations. These power imbalances are socially constructed or learned ideologies where a hierarchical relationship (implicitly or explicitly) benefits a dominant or privileged individual/group(s) and marginalizes others.

The policy also noted recognition of the need to address unconscious biases through an active process of "deconstructing and 'unlearning' oppression." The Anti-Oppression Anti-Racism Policy is stated to be "an official and formal way to acknowledge and encourage organizational change." Despite this promise, participants from Organization C, including employees with disabilities, the union and human resource representatives, all commented that the actions outlined in this policy were yet to be realized in the workplace. As such, there were efforts

underway to address the gap between what the policy said, and what the organization actually did.

Moreover, the Anti-Oppression Anti-Racism Policy was not cross-referenced with the Accommodation and Return to Work Policy. The Accommodation and Return to Work Policy was cross-referenced with two other organization policies related to the organization's commitments under the AODA. For example, Organization C's Accessibility Policy stated:

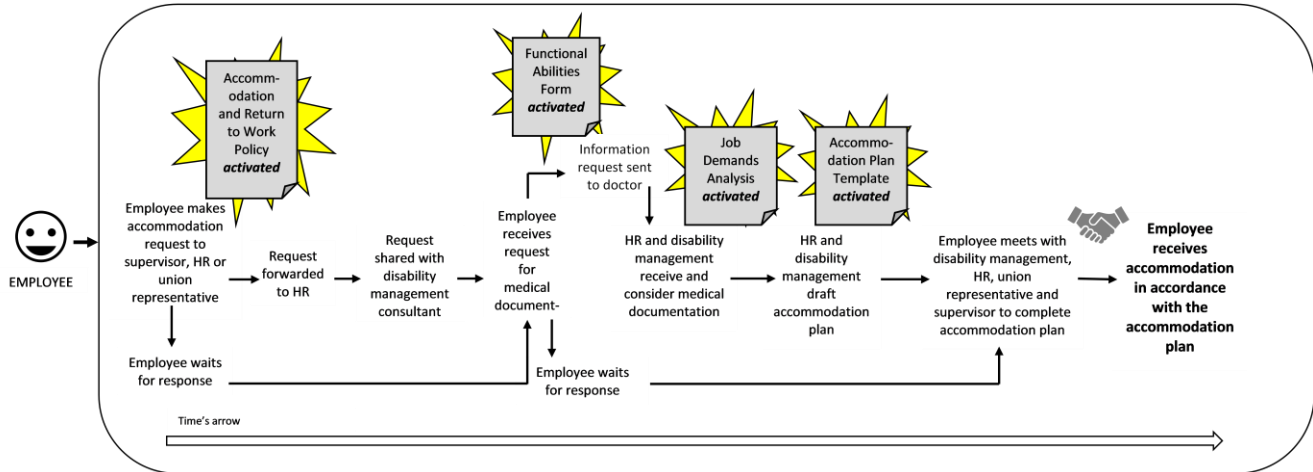
[Organization C] is committed to treating all people in a way that allows them to maintain their dignity and independence. We believe in integration and equal opportunity. We are committed to meeting the needs of people with disabilities in a timely manner and will do so by preventing and removing barriers to accessibility and meeting accessibility requirements under the Accessibility for Ontarians with Disabilities Act.

The policy also stated that:

The requirements set out in this policy and the AODA Regulations are not a replacement or substitution for the requirements established under the Ontario Human Rights Code (the Code) nor do the standards or policy limit any obligation owed to persons with disabilities under any other legislation.

The following Figure 6 depicts the accommodation process at Organization C.

Figure 6: The social organization of the accommodation process at Organization C



These descriptions extend from the accounts of participants who were engaged in accommodation processes, and who may or may not have been cognizant of how their participation in textual work put together the processes and their outcomes. As the active texts in these settings, the accommodation and human resource policies were developed to standardize and mediate the ruling relations in which the practices of managing and receiving particular accommodations were located. Next is a description of how the policies at each organization were embedded within an intertextual hierarchy and an examination how each organization interpreted and acted out these texts in practice.

Intertextual Hierarchy

The next three figures in this section depict the human resource and accommodation policies at Organizations A, B and C (respectively) as they are embedded within an intertextual hierarchy.

At Organization A, the Human Resource policy explicitly referred to the *Employment Standards Act* (ESA), the *Occupational Health and Safety Act* (OHSA), and the Code. The ESA provides minimum standards for employment in Ontario. Currently, the ESA covers a range of

employment standards including: minimum wage; hours of work; provisions to assist employees with family responsibilities; holidays and vacation time; and mechanisms for compliance and enforcement. However, the ESA contains only some of the rules affecting work in Ontario and does not include specific rules for employees with disabilities. According to the OHRC, allegations of discrimination and harassment cannot usually be dealt with under the ESA, although there are some areas of overlap.¹² For example, the ESA requires employers to provide equal pay for work of equal value. This issue is also covered under the Code under sex and gender discrimination. There are some situations in which an employee may have a right to a remedy under both the Code and the ESA. Where the provisions of the ESA conflict with those of the Code, the Code takes precedence.

The OHSA outlines requirements and responsibilities related to workplace occupational health and safety in Ontario. According to the OHRC, both the OHSA and the Code “may apply to a particular situation as the two laws are not mutually exclusive. This overlap can arise most often when assessing health and safety risks as part of the undue hardship test”.¹³ In employment, several laws may apply at the same time as the Code, with overlapping or parallel responsibilities. The Supreme Court of Canada has said that human rights legislation such as the Code should not be treated the same as other pieces of provincial legislation because it is “quasi-constitutional.” This means that the Code is almost as important as the *Charter*. This also means that employers must comply with the Code before other laws, including the OHSA. Figure 7 depicts this legal hierarchy in relation to Organization A’s Human Resource Policy.

¹² Retrieved from <http://www.ohrc.on.ca/en/human-rights-work-2008-third-edition/appendix-b-%E2%80%93-human-rights-workplace-which-laws>

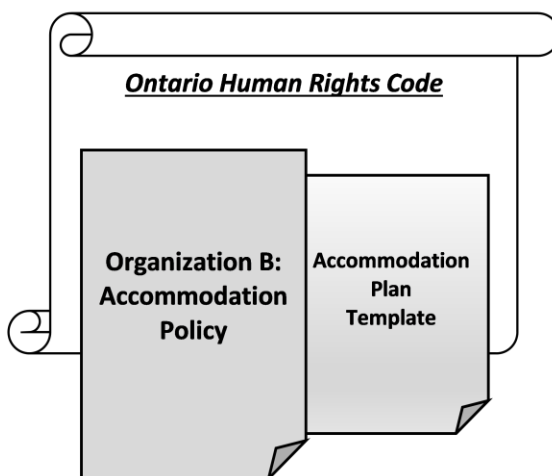
¹³ Retrieved from <http://www.ohrc.on.ca/en/human-rights-work-2008-third-edition/appendix-b-%E2%80%93-human-rights-workplace-which-laws>

Figure 7: The intertextual hierarchy governing the accommodation process at Organization A



At Organization B, the Accommodation Policy involves the use of the Accommodation Plan Template as a supporting text. The policy explicitly referred to the Code as its guiding framework. It does not explicitly reference any other laws. Figure 8 depicts this hierarchy.

Figure 8: The intertextual hierarchy governing the accommodation process at Organization B



At Organization C, the Accommodation and Return to Work Policy involved the use of the Functional Abilities Form, Job Demands Analysis and Accommodation Plan Template as supporting texts. The Accommodation and Return to Work Policy explicitly referred to the

AODA, the OHSA and the WSIA. The Code and the AODA work together, but they have some important differences. For example, the OHRC describes that under the Code, when a person with a disability needs accommodation, there is a duty to accommodate. The Code also applies to all Ontario organizations regardless of type and size. On the other hand, the AODA sets accessibility standards that organizations must meet, but specific requirements depend on an organization's type and size. The human rights principles of the Code help to inform and guide how AODA standards are to be met. The AODA standards do not limit or replace the requirements of the Code or any other law. Meeting AODA standards does not guarantee that an organization has met Code requirements or that the organization will not receive human rights complaints, but it may lower the risk of complaints.¹⁴

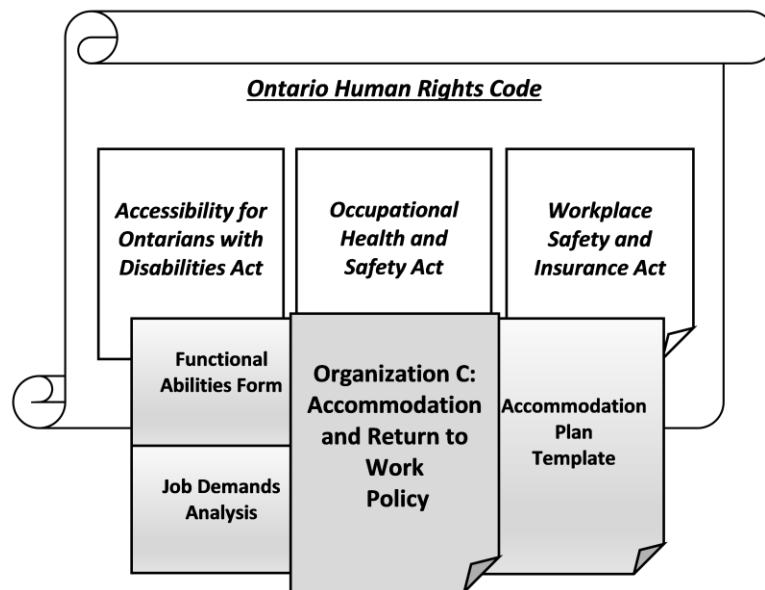
The OHRC also describes the connection between the WSIA and the Code such that, Under subsection 10(1) of the Code, a person who claims or receives benefits under the WSIA is deemed to have a disability for the purposes of the Code and is entitled to file a human rights complaint resulting from unequal treatment on the ground of disability. Therefore, it is appropriate and indeed likely that claims under the WSIA and the Code may go on at the same time. Unless it relates to age, if there is an inconsistency between the Code and the WSIA, the Code applies. For example, under the WSIA the duty to re-employ only arises if the worker had been employed continuously for one year before the injury and the employer regularly employs 20 or more workers. In comparison, under the Code, the duty to accommodate arises even if the employee is injured during his or her first year with the employer, and even if fewer than 20 workers are regularly employed.

¹⁴ Retrieved from <http://www.ohrc.on.ca/en/learning/working-together-code-and-aoda/part-1-introduction>

This may include a requirement to return a worker with a disability to work, subject to the standard of undue hardship.

Figure 9 depicts this legal hierarchy in relation to Organization C's Accommodation and Return to Work Policy.

Figure 9: The intertextual hierarchy governing the accommodation process at Organization C



As depicted in these three figures and described in the previous section, the legal texts of the Code, OHSA, ESA, AODA, and WSIA were higher order texts that organized the processes, concepts and expression within subordinate texts, including the Human Resource Policy at Organization A, and the accommodation policies and accommodation plans at Organization B and C. These organizational policies and plans “mediated the legal framework into the actual practices of people and thus, served as a textual mediator of the ruling relations” (Proding & Turner, 2013, p. 365). The legal frameworks of the Code, OHSA, ESA, AODA, and WSIA provided the conceptual frame for the processes and procedures happening at each organization. As such, these processes may be similar for other employees in the private, public and non-profit

sectors of Ontario who are seeking workplace accommodations.

To understand how this conceptual frame operated at Organization A, B and C, the following analysis will focus on the Code because it was explicitly referenced by each organization during interviews and in their policies. The Code also has primacy over all other provincial laws when there is a conflict. This kind of policy is referred to in IE terms as a “governing” or “boss” text (D.E. Smith & Turner, 2014).

The Code, as a governing text, regulated the relevant accommodation policies at Organization A, B and C and projected the organization of employee’s experiences at work. With respect to actions that followed from the Code, this analysis follows Dorothy Smith’s (2006a) advice to not assume that the Code determined everything that happened to employees. Rather, the term *project* is used here to preserve the constraints of the present analysis. The following sections are an analysis of how different “readings” of the Code operated in the accommodation processes at Organization A, B and C.

The Code in practice. Incorporating texts into an institutional analysis offers a way of seeing how an organization’s practice of reading governing texts is integral to what happens in their setting. Following suggestions by Turner (2014), “The investigation of reading practices is...a productive line of inquiry for people working where organizational decision processes are of practical concern to them” (p. 199). Despite using the same governing text, Organizations A, B and C, oriented their workplace practices and policies to the Code in different ways. The present discussion examines how decisions were made about the accommodation process within the organizations included in the present study. This analysis shows that it is possible to see how distinctive reading practices are integral to the talk of participants and how accommodations were implemented.

The Code presents standard guidelines that can be treated as there for everyone in the same way. Participants' readings of those features coordinated how the accommodation process went forward. How standard features of the Code are operated in the talk of participants is "how the text regulates and is powerful in this and multiple other settings. How the text coordinates the talk in a setting as authoritative...is part of how it operates to produce participants' readings and talk" (Turner, 2014, p. 207). How individuals operated the Code's features, and thus read and interpreted it differently, entered into and shaped what they came to say concerning the accommodation process and revealed their location in the social relations of work and disability. The following extracts illustrate how the Code's features, explicated through various OHRC policies, coordinated workplace decisions.

During interviews, some employees expressed a sense of apprehension, and sometimes fear, about the impacts of "undue hardship" on their employment status in the workplace. For example, Faith said she limited her accommodation requests for fear that her employer would claim undue hardship:

I'm still learning [about the accommodation process] and like I said I'm not aggressive. Maybe, I need to be, but I worry that if I'm too aggressive they're going to say 'You know what? We can't accommodate you. It's undue hardship.' Then what do I do?... I was afraid of undue hardship. You know...it is on the accommodation plan. 'We'll accommodate until it's deemed as undue hardship'. And what is undue hardship for someone with [my impairment]? ...This is very difficult, it's very gray. It's not black and white.

Faith's worry about undue hardship was understandable given that an otherwise qualified individual with a disability can fall victim to the employer's specific financial situation. As Rioux, Crawford and Anweiler (2001) have previously noted, "the concept of undue hardship means that in certain cases whether or not an individual with a disability will find [or keep] a job is dependent not on his or her specific attributes but on the size and resources of employers in the area" (p. 641). This is of concern in the NPSS as the rise of neoliberalism has led to financial circumstances that can create uncertainty. As noted above, the non-profit sector in Ontario has seen a decline in core funding and shift toward project-based funding models, often with restrictions on how organizations can spend.

Faith expressed a sense of uncertainty about what "undue hardship" meant for someone with her impairment such that: "It's very gray. It's not black and white." This "gray"-ness, reflected the perceived ambiguity surrounding the concept of undue hardship in the Code. Rioux, Crawford and Anweiler (2001) have noted:

As each potential accommodation is highly fact-specific and depends on the balancing of the needs of the individual with a disability with the resources of the employer, there is no question that it results in a lack of certainty for both employers and employees. (p. 647)

Thus, an individualized approach to accommodations can cause some ambiguity around the boundaries of the duty to accommodate. The provision of individualized accommodation means that every time a new request for accommodation is made, the process is started anew. This can shield the organization from the need to change if accommodation is not an integral part of the

fabric of the organization (Jung, 2003).

However, Organization B has never made a claim of undue hardship. As Devin explained:

We don't normally ask for medical information unless we deem undue hardship which, since I've been here [over the past 15 years], we've never done that... We basically take people at their word. If you say to me 'I can't use this screen because it's too small', we buy you a bigger screen. If you say the refresh rate isn't the way you need it, I'll fix the refresh rate. If you tell me 'this desk doesn't work', I'll get you a better desk... within the confines of whether a different desk would fit in the office. There are limitations to what we can do but we basically do whatever someone needs. We don't make them feel bad. The idea is if this is what you need in order to do your job, then this is what we'll give you, and we offer that right at the beginning.

Reflecting on employees' concerns about accommodations and undue hardship, Brett said that as an organization in the NPSS:

You know funding is always going to be a concern, but my response is that there are ways to deal with it. Organizations need to push a little harder and not just use funding [as a reason to deny accommodations]. When you go through the undue hardship analysis... it's not really about funding it's about some more underlying internal issues.

Brett described "underlying internal issues" that impact workplace accommodations are often related to supervisor and co-worker attitudes. Indeed, Brett said they are working to make

accommodation an integral part of the fabric of the organization so as to prevent attitudinal challenges. They are developing work processes to make accommodation part of “the actual substance of what [we] are doing here...It’s not just something added to my workload...it’s just part of how we approach all the work we do.” While these efforts were acknowledged and appreciated by Faith, she remained concerned about the legislative limits to accommodations in her workplace. As such, she was cognizant of the broader translocal relations that influence her everyday local experiences at work.

At Organization A, Monica said that she restrained her requests for accommodation because of concern about undue hardship. She believed Organization A would meet her requests “depending on what the accommodation is...they may say it depends on what the budget is, it may be an undue hardship.” Monica said that her workstation should have been set up with the support of an occupational therapist, but she had not made this request to her employer. Monica explained: “I don’t know that they’d pay for that. I think they just relied on me [to make due] and that’s it.” Monica also said that she considered the organization’s “limited budget” when deciding whether to claim expenses related to the training she needed to learn about updated adaptive software for organizational work purposes. She said she did not ask for paid time to do this training because:

Then you have to explain that you need more training. I think they would be open to it [but] it’s just a little bit hard because it’s not-for-profit. So, it’s kind of half my fault for not doing it and half theirs. But I would like to see it be encouraged more.

Monica’s experience was similar to Faith’s strategy of self-restraint in limiting requests for

accommodation to avoid rejection based on a lack of clarity about an organization's financial hardship analysis.

As the executive director at Organization A, Sarah said she had a responsibility to consider the organization's budget as a "check and balance" for workplace accommodations. Sarah described these checks and balances as such:

It's really interesting because I don't think there's ever been an unreasonable request yet. People all realize that every request for accommodation that they make would come out of maybe some other part of the budget which would provide less service to those we serve. So, accommodation requests come forward very rarely and only when needed. Mind you, I have a visually impaired person who could technically ask me to send her all over by cab but that is only a last resort. You know she could say 'I have to be here and then there by X. The only way I can do that is if I have a cab'. I would say 'sure'. It's not really formal. It's easy. I find it permissive. Mind you I have to be responsible, I have to make sure we have the budget. But overall [our organization] budget is like [several million dollars]. It's hard to make a claim for undue hardship...now not every non-profit would have that much room...and it would be hard.

Sarah also said, "I do believe that employers have a responsibility to accommodate people with disabilities, period...It's a priority." Sarah acknowledged that the organization had a large enough budget to fund accommodations, "So it's hard to make a claim for undue hardship...but not every non-profit would have that much room and it could be hard." Here, Sarah recognized the relatively unique position of Organization A as many non-profit organizations in Ontario smaller organizations with correspondingly limited budgets (Statistics Canada, 2009; Van

Ymerman & Lalande, 2015).

Accommodating the needs of people with disabilities is a legal duty under the Code. The most appropriate accommodation is considered to be that which best meets the needs of the person with a disability. Employers are only exempt if the accommodation would cause undue hardship. However, the courts have set a high standard of proof such that employers must provide clear evidence if they are claiming undue hardship for an accommodation request. The standard of proof is meant to show teeth in the sense of pushing employers past the requirement of providing reasonable accommodation that appears cost effective. Under the Code, three factors are used to determine undue hardship.¹⁵ The first is cost. Costs may be deemed as undue hardship only according to objective evidence including but not limited to: financial statements and budgets; scientific data, information and data resulting from empirical studies; expert opinion; detailed information about the activity and the requested accommodation; information about the conditions surrounding the activity and their effects on the person or group with a disability. The second is the availability of external funding sources, such as grants or tax breaks, to reduce the costs of accommodation(s). The third factor relates to health and safety considerations. The OHRC points out that there may be undue hardship if the accommodation violates occupational health and safety regulations. “Employers must try to keep all workers safe and still accommodate the needs of the worker with a disability. If a significant risk remains for others, it will be undue hardship. If a significant risk remains only for the worker with a disability, they might have the right to accept the risk.

The high standards for a claim of undue hardship means that employers must provide workplace accommodation even if doing so will cause them some financial hardship. This

¹⁵ Retrieved from: <http://www.ohrc.on.ca/en/learning/working-together-code-and-aoda/part-3-understanding-duty-accommodate>].

restrictive legal interpretation of undue hardship can lead to more expansive notions of what accommodations ought to be expected (Rioux et al., 2001). This is, however, tempered by the use of the word “undue” such that what constitutes undue hardship depends on the circumstance of each case and considers factors of health, safety and cost (Deveau, 2008).

Undue hardship is the point at which severe negative effects outweigh the benefits of accommodation. An accommodation is considered reasonable if its costs are proportionate to the benefits it will produce. This means that workplace accommodations can be determined on an individual basis according to a cost-benefit analysis. In turn, the employee bears the burden of persuading the employer that they produce benefits for the organization that outweigh the costs of their accommodation. On the other hand, the employer must meet the needs of employees with disabilities and if not, must provide clear objective evidence to claim undue hardship. As such, the concept of reasonable accommodation is relational. It considers the employee, employer, the circumstances of the organization, and the law.

For instance, Organization C’s reading of the Code centered on the aspects of the essential duties of a job and the use of medical documentation as the primary basis for the organization to plan and implement accommodations (See section 4.3.1 and 4.4, respectively of the OHRC’s Policy and guidelines on disability and the duty to accommodate). As Jamie said:

If we’re [accommodating] someone...we need to have their doctor review things. We’ll send out a cognitive and physical demands analysis and...then we assess whether they are able to...meet the essential duties of the job.

Here, Jamie identified features of the OHRC Policy (i.e., medical documentation; essential duties of the job) that are at the forefront of the organization’s accommodation process. Section 4.3.1 of

the OHRC's Policy and guidelines on disability and the duty to accommodate states:

The Code guarantees equal treatment to all persons capable of performing the essential duties or requirements of the job or service. No one can be judged incapable of performing those duties until efforts have been made to accommodate the individual up to the point of undue hardship.

Section 4.4 of the OHRC policy states: "the accommodation provider may request confirmation or additional information from a qualified health care professional." Jamie described how the organization relied on these features of the Code and subsequent OHRC Policy as representing the actualities of what the organization knew about the needs of individual employees, therefore abstracting individuals' subjective experiences into objective information. The legal framework of the Code can be used to develop and implement standardized and formal procedures to accommodate people with disabilities in the workplace. However, it is also possible that the everyday experiences, complexities and various challenges of particular individuals can be left outside. The time and effort spent by the employees featured in this dissertation - the work of being disabled and emotion work - remains largely unaccounted for in the accommodation process outlined under the Code. From an IE perspective, this is because the embodied experiences of disability become objectified and abstracted in documents and texts (D. E. Smith, 1987).

The permitted use of medical documentation in the Code draws in the discourse of biomedicine. Medically informed categories appear in the Code's definition of disability in section 10 (1) such that:

“Disability” means

- a. any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
 - b. a condition of mental impairment or a developmental disability,
 - c. a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
 - d. a mental disorder, or
 - e. an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997;
- (“handicap”)

The discourse of biomedicine can be made operative as a regulator in the development of an accommodation plan. For example, when an employee enters the accommodation process at Organization C, they become an abstraction, through the work of those who reconstruct the employee’s life as a case history or a set of functional limitations. The use of medical documentation in the accommodation process isolates individual employees “from their own lives and the settings of their lives and constructs what is going on with them as it is expressed in [their doctor’s] office (or other situation of observation)” (D. E. Smith, 2006a, p. 77). This

documentation detaches employees from the experience of disability, from their histories, perspectives, capacities, interests, concerns and potentialities. It does not provide space for consideration of the deep anxieties of job loss or diminished social and work status. Moreover the use of medical documentation can foster employees' experiences of being subjected to assessment(s) that may be critical to an employment outcome, without necessarily having a clear idea of what is involved in "passing" successfully (D. E. Smith, 2006a).

In the ruling relations of workplace accommodations, section 8.7 of the OHRC's Policy on ableism and discrimination based on disability sets out detailed guidance about the type and scope of medical information that can support an accommodation request. Nonetheless, these guidelines do not adequately capture Tracy's subjective experiences or perspective. According to the OHRC, if Tracy did not provide medical documentation, which was deemed to be a legal request by the organization, this would legitimize the employer taking action to discontinue the accommodation process. Specifically, the OHRC Policy on ableism and discrimination states that if the person does not agree to provide medical information upon "reasonable request" by the accommodation provider (i.e., the employer), and:

[If] the accommodation provider can show that this information is needed, it may be the case that the person seeking accommodation could be found to not have taken part in the accommodation process and the accommodation provider would likely be relieved of further responsibility. (Ontario Human Rights Commission, 2016, p. 48)

This rule was established in *Baber v. York Region District School Board* whereby the Human Rights Tribunal found that the employer had fulfilled its duty to accommodate because Ms.

Baber failed to co-operate in the accommodation process by refusing reasonable requests for information that would confirm her needs. She consistently refused to provide medical information. The Tribunal found that the employer did not breach its duty to accommodate her when it terminated her employment. A “reasonable request” is determined according to whether “there is a reasonable basis to question the legitimacy of a person’s request for accommodation or the adequacy of the information provided” (Ontario Human Rights Commission, 2016, p. 46). The employer may then request confirmation or more information from a health care professional to obtain needed information. Accordingly, Tracy met the expectations of her employer and participated in the process of obtaining medical documentation in order to receive her accommodation. Tracy expressed frustration about this process as an invasion of privacy during our interview. Tracy described her experience when Organization C requested medical documentation:

I went in to see my doctor...who I have a great relationship with...and she [the doctor] said: ‘What do they [Organization C] want Tracy?’ I said: ‘They just need a note telling them [about my ailments].’ And she said: ‘It’s none of their fucking business.’ And I was like: ‘I know!’

According to the OHRC’s Policy on ableism and discrimination, medical information about a person’s disability “must be the least intrusive of the person’s privacy while still giving the accommodation provider enough information to make the accommodation” (Ontario Human Rights Commission, 2016, p. 46). Thus, Organization C’s Accommodation and Return to Work Policy constituted a text that was part of a course of action that established the right to request medical documentation and was embedded within several regulating discourses in the

intertextual hierarchy. The Code legitimizes these, and other actions performed within the workplace at Organization C.

Jamie's talk of the accommodation process at Organization C differed from representatives at Organization A and B. At Organization A, Quinn said:

It's not part of our ethos [at Organization A] to ask for a doctor's note saying why you have to [have an accommodation]. We're trusting the individual to assess their own abilities...because we're not a corporation of thousands, we're an operation of [less than 50] people, so we can have these conversations one on one.

Similarly, Devin and Brett said that they have conversations with employees to determine their accommodation needs. Devin said, "We just need to know that in order for them to participate in their job they need this accommodation." Brett and Devin also commented that they had not "yet" asked for any medical documentation to support an accommodation but would consider this as an option if the request was "something big" in terms of cost or disruption to workplace operations. Quinn's acknowledgment of doctor's notes, and Devin's comments that Organization B has not "yet" required medical documentation, displays recognition of the availability of this feature of the Policy that they had not taken up in practice.

Here is the significance of multiple identical copies of the Code and subsequent OHRC Policy in constituting a common reference among organizations. Organizations can evaluate which components of the Policy will be taken up in their work practices. For instance, Brett's talk displays a practice of reading different possibilities into work processes and accommodation. Here is an excerpt from Brett's interview:

We try to [develop accommodations] the way it should be developed based on all the regulation and everything we know about the duty to accommodate [under the Code] ...Usually we sit down and it's either I identify the issue, or the staff identifies the issue. We meet and talk about what the issue is, and we talk about possible solutions. In my experience...that's kind of enough. I haven't been in a situation so far where I've needed medical information to provide the accommodation. And we try to provide as much as we can...I mean we do a full investigation... [by] speaking with whoever we need to speak to, and I guess that's what I'm getting at is that so far speaking to the staff has been enough. So as far as my duty to inquire, I've fulfilled my duty just by meeting with the staff. And based on what the staff was telling me and based on what all the circumstances that I was aware of that was enough.

Brett acknowledges that what is represented as already there in the Code and OHRC Policy is given. But, representation of what will happen in the actual workplace is open to negotiation. Brett's talk evidences a reading of the Code as flexible, but the Code must be considered and dealt with in this setting. Brett's talk demonstrated an intimate working knowledge of the legal duty to accommodate and how its representation can be practiced in various settings.

The fact that Organization A and B have not requested medical documentation from their employees (at least not at the time of their participation in this study), was a recognition of employees' subjective bodily experiences. Taking the word of the employee as evidence of their need for accommodation demonstrated trust. When Deidre described her flexible scheduling as a workplace accommodation, she said, "there's an understanding, and there's a trust that I will not abuse that [accommodation]. So, in terms of [an accommodation as] something formal or written

in stone, no. The main thing is that I am working a 35-hour week.” Deidre commented that the trust she felt from management at Organization A meant that “you know I can kind of look the other way when it comes to salary because there are other parts of this job that I consider perks, that are very good.” Deidre was willing to work for lower wages in exchange for the opportunity to work in a trusting environment.

Indeed, Reychav and Sharkie (2010) found that trust influences organizational outcomes and employee satisfaction. These authors cite previous research by Dirks and Ferrin (2001) who claim that perceptions of trust in an organization may be a significant antecedent for employee extra-role behaviour (i.e., work that is outside the specific obligations incorporated in the formal employment contract). Their findings suggest that without trust, skills and knowledge are likely to be withheld instead of being disseminated through organizational work. Trust can also affect attitudinal and behavioural outcomes such as more positive attitudes to work and higher levels of cooperation. As such, these authors argue that it is in the organization’s best interests to foster individual employee’s perceptions of trust to facilitate extra-role behaviour. Reychav and Sharkie suggest that the perception of trust as relational, operates as a social exchange process and influences the amount of reciprocation by the employee back to the organization. Their findings on the non-profit sector highlight the importance to employees of the level of psychological support given to them, which they use to determine their level of reciprocation.

Brett, Devin, Quinn and Sarah all acknowledged that as DPOs with core funding, their organizations were well positioned to negotiate and implement workplace accommodations. Their processes were guided by the Code as well as their organizational philosophy. Accommodations were an integral part of their operations. As quoted earlier, Quinn said:

We pride ourselves on accommodating people with disabilities. Besides it being a human rights and legal obligation, the fact is we're a disability organization, if we are getting this wrong we have a serious problem on our hands. For me, it's part of the furniture almost, so to speak. So yes, I have a disability as do a good portion of my colleagues and it's just not that big of a deal.

As noted above, Organization A's Human Resource Policy statement: "[Organization A] fully supports efforts that identify and neutralize any past or present discriminatory practices in all aspects of employment and advancement. For this reason, the policy of [Organization A] is to incorporate into the employment practices the meaning and intent of the Ontario Human Rights Code" evidences a reading of the Code as broad and wide-reaching. This statement reflects section 8.2 of the OHRC's Policy on ableism and discrimination – 'Inclusive design'. Unlike the definition of inclusive design from the IDRC, the OHRC conflates the concepts of inclusive and universal design. Specifically, the OHRC Policy states:

Inclusive or "universal" design emphasizes barrier-free environments and equal participation of persons with disabilities with varying levels of ability. It is a preferred approach to removing barriers or making "one-off" accommodations, which assume that existing structures may only need slight modifications to make them acceptable. (p. 31)

This statement reflects the Meiorin ruling such that workplaces should be set up in a way that meets the needs of all types of workers from the outset. The OHRC policy views effective universal design as the material and social organization of all workplaces to meet the needs of

every type of worker (a one-size-fits-all approach) such that workplace accommodations would become redundant. If all contingencies could not be accounted for, then the employer would be required to meet the individualized needs of people short of undue hardship. Deveau (2008) argues that if the Meiorin ruling was realized in practice then:

accommodation would no longer be about meeting the specific needs of disabled workers, but of transforming the workplace to meet the needs of all types of workers. This is what Chief Justice McLachlan, J. meant in the Meiorin SCC ruling when she wrote, "Accommodation does not go to the heart of the equality question, to the goal of transformation, to an examination of the way institutions and [social] relations must be changed in order to make them available, accessible, meaningful and rewarding for the many diverse groups of which our society is composed. (p. 13)

In other words, the courts stated that it was no longer acceptable for employers to assume that all employees would be able-bodied. The IDRC (2017) take this idea further to suggest that from the outset, workplaces practice, procedures and processes should be designed in ways that recognize diversity - inclusion by design – to the fullest extent possible.

These viewpoints of accommodation resonate with debates in the NPSS. As Anucha (2008) suggested, “In the face of unrelenting social problems, is social work’s role to change people or change the system, and how should it best enter the discourse of social reform?” (p. 230). As such, the inclusion of workers with disabilities represents an opportunity to reflect and re-present the profession’s role in the social change process. Likewise, an organization’s model of work can either question or reinforce hegemony and ableism in which able-bodied values, knowledge and skills are positioned as elite and superior.

The OHRC's definition more closely represents the IDRC's conceptualization of universal, rather than inclusive, design. The section notes: "organizations should be aware of systemic barriers in systems and structures that already exist. They should actively identify and seek to remove these existing barriers" (p. 33). Organization A activates this section of the Policy through its workspace design which includes desks that raise and lower, high contrast flooring, hand rails, etc. As such, this workspace reflects the architectural antecedents of universal design.

According to the OHRC, inclusive design follows the principle of ensuring integration and full participation as part of the Code's duty to accommodate. According to the Policy, effective inclusive design will minimize the need for people to ask for individualized accommodation. The Policy notes that "Organizations, including government, should use the principles of inclusive design when they are developing and building policies, programs, procedures, standards, requirements and facilities" (p. 32). According to the OHRC, this "proactive approach" is more effective because it creates accessibility and inclusion from the start.

At Organization B, Brett talked about the organization's efforts to use a proactive inclusive approach to accommodation. Brett explained that when any employee is hired, management will review the workplace systems, processes and structures to be accessible and inclusive for that person, regardless of their individual requests. Engaging in this process means that from the time an offer of employment is accepted to the start date, there are no barriers for the employee to integrate and participate in the workplace. In addition, before Organization B moved into their new office space, management invited staff with disabilities to visit the office site and assess its accessibility. Brett shared staff feedback with the building managers to remove

barriers to an inclusive physical space. Moreover, on an emotional level, Susan said that Brett would proactively address any work issues with staff to inquire if they are feeling well or may need some relief from their workload. Susan said this is a conversation that Brett initiated with staff.

Also, under section 8.2 of the OHRC's Policy on ableism and discrimination, the OHRC refers to the AODA as a mechanism for its conceptualization of inclusive design. Organization C activated this mechanism and has publicly shared, through their website, how the organization has complied with various AODA standards. For example, the organization publicly shared the organization's Multi-Year AODA Work plan and Self-Certified Accessibility Report. Jamie said that HR staff will access information online about AODA standards to inform their support for employees with disabilities. The AODA was also noted in the organization's strategic plan by setting an objective to "make communications accessible in keeping with AODA". This objective was part of the organization's priority to enhance responsive and transparent communications with internal and external stakeholders.

Indeed, as Alex pointed out, the organization is "really big around the AODA, really trying to reach for that [goal]." However, Alex also suggested that this mechanism did not go far enough in creating an inclusive workspace. As noted earlier, the most recent review of the AODA revealed criticisms from the disability community that the Act has resulted in modest change on the ground. The review also found a perceived expectation that complying with the AODA satisfies one's accessibility obligations under the Code when in fact it does not. The resulting confusion was described as a matter that should be addressed by the Ontario government in the AODA to reduce complexity for obligated organizations.

Thus, we can see reading practices that take up the Code in various ways. Here is an

examination of these practices as they influenced courses of action in the workplace. Reading practices can be seen to translate the terms of the Code for specific tasks in various settings. Organizations picked out features of the Code and subsequent OHRC policies to bring into action in the workplace. These features were used to make decisions that accomplished the task of accommodation. They set up these features as ways to gather evidence that was suitable for their decision-making processes within a particular institutional function and for the work in their settings. Through our conversations, participants also introduced into the discussion what was beyond and not represented in the Code, namely the employer's practical problems with developing accommodations in a workplace with all its local messiness (e.g., active resistance, resentment and retaliation from co-workers, etc.).

Following suggestions by Turner (2014), this section has aimed "to explore ways to analytically describe reading practices as courses of action integral to people's work in organizational processes and institutional action" (p. 220). This section examines how reading practices at Organization A, B and C are potentially taken for granted yet central to how organizational and institutional work gets done. "As a practical matter, reading practices can be explored as procedures intrinsic to organization and decision making, opening them to intervention and change" (Turner, 2014, p. 221). Specifically, this study has highlighted different ways in which Organization A, B and C have taken up the Code in action.

Chapter Eight: Implications and Conclusion

In research and in practice, a new way of thinking is evolving in terms of how we conceptualize disability and employment. Over the years, disability social justice movements have fought for and demonstrated alternative social formations of what it means to be disabled in society. There has been significant progress over the past few decades to expose disability as something other than an individual deficiency and to open up the possibilities for re-conceptualization. Indeed, the field of critical disability studies arose with the purpose of deconstructing, re-examining and building a new understanding of disability in society (e.g., Finkelstein, 1980; Gleeson, 1999; Oliver, 1990b; Szasz, 1974; Thomas, 1999). Critical disability studies scholars and activists bring evidence of the social construction of disability to the forefront of thinking about "normal" versus "abnormal" and contend that achieving equality, well-being and empowerment of people with disabilities is not an issue of medicine, health, rehabilitation or charity; rather it is a question of politics, power and powerlessness (Devlin & Pothier, 2006; Rioux et al., 2015). The field has developed a broad conceptualization of its goals and purpose which is to seek full citizenship for people with disabilities and respect for disability as an inherent aspect of human diversity as articulated in the CRPD. Based on the need for systemic change, these goals require radical transformation in the way society perceives and acts toward people with disabilities.

This study describes how the organization of daily experience, the work routines, and the structuring of the lives of people with disabilities through time have been, and for the most part still are, determined and ordered by processes external to and beyond their everyday world (e.g., Borsay, 2005; Oliver, 1990b; D. E. Smith, 1987). This research highlights how employment in the NPSS from the standpoint of people with disabilities implies the enrichment or sacrificing of

one's individual being – an essential aspect of alienation in capitalist society (Harvey, 2014).

Thus, this study advances the notion that if the labour market were to develop from disabled people's experiences of the world, there would not be assumptions of able-bodied-ness and productivity built into the workplace because these assumptions do not conform to the organization of their experience. The need for and concept of workplace accommodations would be irrelevant if workplaces were designed to be physically and socially inclusive from the outset. As several participants argued, employees with disabilities should not have to disclose their needs before they are met. The workplace should already be accessible.

Findings from this study zero in on the accommodation process as an exemplar of the way employees with disabilities are perceived and acted toward. The process also highlights the practical implications of key concepts identified in this dissertation. Workplace accommodations featured prominently in employees' talk about their everyday experiences at work. Explicating these processes reveals an eclectic conceptualization of disability in relation to employment including aspects of the individual, social and human rights model. This process appeared differently across organizations with greater emphasis on one or another conceptual focus at different times and spaces. Findings show that each organization did not strictly adhere to one or another conceptualization. However, the individual-medical model appeared more prominently at Organization C with the regular use of medical documentation in the accommodation process. Employees and senior leaders at Organization A and B focused greater attention to the social and structural environment in the design of their workspaces and workplace policies. As Malhotra (2006) suggests, the social model of disability was useful here as a prerequisite for policies and practices to ameliorate the marginalization of employees with disabilities because it draws attention to the institutional environment. On the other hand, the accommodation process

described in this study also highlighted employees expressed need for greater consideration of their subjective experiences of disability and impairment. Employees with disabilities described how their impairment profoundly influenced their everyday experiences at work. In this way, findings from this study build on Garland-Thomson's (2011) concept of misfit as an opportunity to illuminate encounters between bodies in particular shapes and capabilities and the particular shape and structure of the world. While sometimes problematic for employees with disabilities, this encounter presented real and potential benefits for Organization A, B and C as they learned from employees' experiences of disability. It also presented opportunities for employees to share an intimate understanding of the subjective experience of disability with service users.

The inclusion of people with disabilities challenges social norms as well as the boundaries of the disciplines they are engaging in. Findings from this study point to some of the ways in which each organization is working to foster a culture of disability in their workplace. They are responding in various ways to the history of oppression and exclusion of people with disabilities. Employees with disabilities are reclaiming their identities as service providers with pride and varying degrees of awareness of their collective history. These organizations provided a level of decent work in relatively well-paid, secure, meaningful jobs for persons with disabilities in the face of a backdrop of neoliberalism and precarious employment. While not perfect, but they give some good examples.

Each organization drew from aspects of the human rights model in the development and implementation of their workplace accommodations. The accommodation processes explicated in this study show how rights pervasively configure a workplace culture and discursively produce the working subject. These findings reflect Wendy Brown's (1995) suggestion that rights operate to both emancipate and dominate, as well as protect and regulate. This study also

supports Ignatieff's argument that codes of rights cannot be expected to define what the good life is or the subjective experiences of humanity. Thus, the findings from this study support arguments for ensuring that rights talk does not end up crowding out all the other ways people can express their needs, interests and experiences. The present study sheds light on how the Code recognizes the values of dignity, autonomy and independence but stops short at considerations of economic cost and undue hardship. The Code can also support the practical uptake of the medical model of disability through the use of medical documentation in the accommodation process. Accompanying OHRC policies note that "To implement appropriate accommodations that respect the dignity and privacy interests of people with disabilities, the focus should always be on the functional limitations associated with the disability" (Ontario Human Rights Commission, 2016, p. 2). Employees in this study expressed concern about the implications of considerations of undue hardship and a focus on individual functional limitations on their work accommodations. In this way, the findings from this study denounce the practical implications of neoliberal individualism on the everyday experiences of employees with disabilities in the workplace which leads to considerations of alternative conceptualizations of community.

Implications and Contributions of the Present Study

Overall, the present study fills a gap in the literature on disability and employment in Canada by focusing on work in the NPSS. It offers a critical analysis of the opportunities for inclusive employment in this sector of the labour market. Many employees in this study described that their employment in the NPSS promoted a sense of community and contribution to society. While this was described positively by employees, the concept of community can also entail a denial of difference and a desire to bring multiplicity and heterogeneity into unity (see also Young, 1990). On the other hand, individualism (often associated with capitalism and

neoliberalism) denies difference by positing the self as a self-sufficient unity. Young (1990) argues that the concept of community stands for a desire to view persons in unity within a shared whole. Young suggests that in community, “The regard of the other is always objectifying [whereby] ...*I* am always faced with an experience of myself different from the one *I* have” (p. 231, emphasis added). This tension was experienced in the bifurcated consciousness of employees as they experienced the work of being disabled. Young goes on:

At the next moment the other person may understand my words differently from the way I meant them or carry my actions to consequences I do not intend. The same difference that makes sharing between us possible also makes misunderstanding, rejection, withdrawal, and conflict always possible conditions of social being. (p. 231)

Findings from this study resonate with Young’s argument that “The self is indeed a product of social relations in profound and often contradictory ways” (p. 228) such that a social group is the relational outcome of interactions, meanings and affinities by which people identify one another. Also, a person’s social group identity is shared with others in the group such that the ideal of community can operate to oppress or exclude those experienced as different. Thus, while the experience of community was described positively for employees, a commitment to community can also value and enforce homogeneity over diversity.

This study shines a spotlight on ideological practices that influence employees with disabilities with forms of thought and knowledge that constrain them to treat themselves as working, productive objects. From a Marxist-feminist perspective, the findings from this study confirm Smith’s argument that:

We have learned to set aside as irrelevant, to deny, or to obliterate our own subjectivity and experience. We have learned to live inside a discourse that is not ours and that expresses and describes a landscape in which we are alienated and that preserves that alienation as integral to its practice. (Smith, 1987, p. 36)

Consequently, the present analysis shows how concepts of disability and employment can dominate and penetrate the social consciousness. These ideas can control social processes (such as the accommodation process) in ways that can deny expression of the actual experiences people have in the working relations of their everyday world.

In this way, under an overarching critical theoretical framework, the present study illustrates aspects of the concept of alienation (Marx, 1976; Marx & Engels, 1961), Smith's notion of standpoint and the relations of ruling (D. E. Smith, 1987), and Young's theory of rights and justice (Young, 1990). In line with the goals of critical disability studies, this study proceeds from Smith and Young who suggest that "A model of a transformed society must begin from the material structures that are given to us at this time in history" (Young, 1990, p. 234). This study advances a normative ideal that begins with everyday experiences and looks there for the virtues of social relations.

All employees in this study commented that their lives were enriched by their employment as they felt they were making a positive contribution to society. On the other hand, several employees also felt that their subjective experiences of disability were sacrificed for the sake of bureaucratic, formal, or medicalized procedures. Harvey argues that the "technology of work" is a form of repression that denies our own sensitivity, where tenderness and compassion are not allowed (see also, Gorz, 1989, 2010). Several participants in this study described how

their emotions had no place, such that feelings of sadness or fragility were excluded from the domain of the workplace. Harvey cites Gorz's insistence that:

Working is not just the creation of economic wealth; it is also always a means of self-creation. Therefore, we must also ask *a propos* the contents of our work whether the work produces the kind of men and women we wish humanity to be made of. (Harvey, 2014, p. 271)

Anna described that she had witnessed situations where humanity was “forgotten” in work processes that valued productivity and individualism over emotions and people. While Harvey argues that many of those at work are not happy with what they do, many of the participants in this study enjoyed their jobs. For the employees in this study, money did not supplant other values and was not their only measure of job satisfaction. At Organization A, Quinn described their “humane approach” to working with staff as trustworthy, self-determining individuals.

Findings from this study support Young's argument that bureaucracy can be at odds with the inclusion of people with disabilities. This became clear in the experiences of employees with disabilities at Organization C, and to a lesser extent by employees at Organization A and B. Graeber (2015) argues that bureaucracy is about trying to create societal fairness and transparency by replacing subjective human judgement and open ended social negotiation with a set of clear and consistently enforced objective rules (see also, Taylor, 2016). For Graeber, bureaucracy is presented as a solution to social problems by building a fair and just set of rules and procedures for all to follow. However, Graeber argues there can be selective use of the rules, and a lack of transparency which is, paradoxically, solved by creating additional layers of

bureaucracy. Eventually, according to Graeber, our society has created nested systems of rules so arcane that very few people really understand them, and then we blame those who are marginalized for failing to understand (see also, Taylor, 2016). The intertextual hierarchies at Organization A, B and C in the present study illustrate examples of nested systems of rules. These systems of rules were governed by human rights values and principles embedded in the Code. These rules and concepts were, at times, misunderstood or unclear to some employees with disabilities. For instance, Faith and Monica expressed a sense of apprehension, and sometimes fear, about the impacts of “undue hardship” on their employment status in the workplace.

Moreover, bureaucratic forms of new public management arose in the decision making of managers and the development of work processes for employees with disabilities. For example, Jamie talked about a priority focus on “customer service” in consideration of the organization’s development and implementation of workplace accommodations. Brett and Sarah also talked about how their organizations’ budgets influenced the development of accommodations highlighting the ways in which their funders exert control over their work processes. Moreover, Jane and Faith’s concerns about their productivity at work at the expense of their subjective needs and interests showed how the principles of new public management can be internalized by workers in the NPSS.

On the other hand, this study presents also some strategies and examples of resistance to new public management – particularly at Organization A and B where management found creative ways to fund accommodations for employees with disabilities. Devin said that Organization B may take on a deficit in order to accommodate employees. Susan described how she has to “be very creative” about working around funding contracts in order to meet the needs

and interests of all employees. These strategies may be effective due, in part, to the ways in which Organization A, B and C receive their funding. Each organization received core funding that provided them with some flexibility in their spending and offered forms of non-precarious employment opportunities. With considerations of the history of the sector coupled with examples of current strategies of resistance, this study offers examples of how organizations can promote decent work, inclusion and diversity in their workplaces.

While governed by the same higher-order text of the Code, the relative informality of the accommodation process at Organization A presented an alternative approach that guarded against the creep of bureaucracy. Employees and management entered into relatively open-ended, unstructured social negotiation. Management recognized that social problems could not be fixed by “the system” and did not pretend that social problems could be legislated away. On the other hand, the bureaucratic processes and use of medical documentation in the accommodation process at Organization C disrupted relations between employer and employee as the subjective experiences of employees were abstracted. Avoiding the use of medical documentation at Organization A and B facilitated trust. Prioritizing the word of employees over the use of medical documentation brought their subjective everyday experiences into the accommodation process. Placing value on the subjective experience of disability promoted positive images around disability and diversity in the workplace.

A resistance to formal procedures in accordance with the Code and other legislation facilitated bonds of trust at Organization A. Deidre’s experience highlighted that the experience of trust from management operated as a trade-off for lower wages in her job. Previous research describes trust in organizations within a capitalist frame of productivity in organizations (e.g., Reychav & Sharkie, 2010; Sharkie, 2005); but this was not how managers at Organization A

talked. They talked about the inclusion of employees with disabilities as part of the structure of the organization in alliance with their mandate for an inclusive society that values people with disabilities as a part of human diversity.

This study presents examples of how social group differences have flourished in the workplace such that employees with disabilities have re-presented the image of social worker and disability. As such, findings from this study advance the ideal of “social differentiation without exclusion” (Young, 1990, p. 238). Participating employees experienced exclusion or a sense of aversion from their co-workers and supervisors while at the same time working in an environment that recognized social group difference as an integral aspect of their work. Like the IDRC’s expressed need for spaces and places to be designed with recognition of the diversity and uniqueness of each person, “In this ideal, groups do not stand in relations of inclusion or exclusion, but overlap and intermingle without becoming homogeneous” (Young, 1990, p. 239). This was especially true for some employees whereby their individuality was recognized, accepted and valued. Findings from this study offer examples of what differentiation without exclusion can be, even if employment as many experience it includes various institutional forms of exclusion. Employees in this study positively described their experiences at work when the organization valued their subjective embodied experiences. As described in the section on the benefits of employing people with disabilities in the NPSS, the inclusion of employees with disabilities presents opportunities for other workers to learn from their experience of disability and impairment.

For employees in this study, what made employment interesting, drew them to it, gave them pleasure and motivation, was the diversity of activities they were engaged in at work. All employees described a commitment to their organization’s mandate. This was especially

prevalent among employees who had control or influence over the work they performed such as pace of work, assignment of tasks that were consistent with their skill set, access to methods for accomplishing tasks, and hours of work including scheduling. Employment was about more than just income; it was an opportunity to share their skills and abilities in society. Several employees, particularly those at Organization A and B, also described a sense of mutual support and understanding because of their organization's distinctive governance structure as DPOs.

As employees spoke about their experiences in the workplace, they often referred to the support and attitudes of supervisors and co-workers. Thus, it appeared that support from top management to include individuals with disabilities in the organization, and the choice of managers who were committed to those values, reinforced the sense of inclusion of employees with disabilities. It also appeared that aligning service philosophies and values with workplace processes for inclusion contributed to a sense of inclusion among employees with disabilities.

This study contends that there is preference and enthusiasm to be found by encountering difference. In coming to encounter a subjectivity that is different, there is opportunity to understand other meanings, practices, perspectives and experiences from which to learn. This was the expressed aim of Organization C and the goal of efforts by employees like Anna, Elizabeth and Tracy. Findings from the present study suggest that unoppressive workplaces can offer employees an opportunity to be open to unassimilated otherness. Moreover, the inclusive employment of people with disabilities in the NPSS provides opportunity for people with disabilities to gain social status and citizenship as workers in the labour force. As previous authors suggest for people with and without disabilities, the workplace can be a potential site for making contributions and connecting with other people (Church, Frazee, Panitch, Luciani, & Bowman, 2007; Prince, 2014a).

This research is meant to offer an explication of work in the NPSS that could help those working politically to see what they are up against and how they might want to apply pressure for change. This study presents an empirical basis on which to devise plans to fix or enhance the experience of employment through a detailed analysis of the accommodation process and intertextual hierarchy. This study can also be used to interrogate one's own participation in enabling or disabling practices at work. Drawing from the work of Dorothy Smith, the approach taken up here is comparable to consciousness-raising. This strategy of institutional analysis explicates a generalized basis of the experiences of people with disabilities working in the NPSS governed by the same or similar set of policies and procedures.

Employees with disabilities can challenge the market-based concept of productivity in the NPSS through resistance to quantitative performance-based measures reflective of new public management. The experiences of employees with disabilities highlight the need to bring back the ethic of social caring as the central operating principle in the sector that has been removed by the principles of neoliberalism (Baines, 2006b). This is of particular concern for organizations that want or claim to be inclusive workplaces. Indeed, many employees embraced an ethic of social caring. This ethic of social caring can give rise to strong worker opposition to workplace practices that offend workers' sense of social fairness (see also, Baines, 2006). As Anna described, she advocated for greater alignment between the values of the organization and the inclusion of diverse employees in organizational committees.

The present study sheds light on one of the ways in which the treatment and perception of people with disabilities can be transformed. Participants said that employing people with disabilities challenges their own workforce and those who believe that a social worker looks, behaves and is abled in a discrete and particular way. According to participants in the study,

employing workers with disabilities breaks up a stereotypical image of a non-disabled social service worker (see also, Baines et al., 2014). Participants in this study said that employees with disabilities foster awareness of stereotypical images of people with disabilities as service recipients in need of support from non-disabled service providers. As Alex suggested, the inclusion of employees with disabilities in the NPSS “makes us question what a social worker is” and makes the workforce more open to change. At Organization A, Katie described that employees with disabilities carry their subjectivity through their work to support service users through mutual understanding of the experience of disability. At Organization B, Susan said she felt mutual acceptance and understanding of the embodied experiences of disability at work.

Moving forward, insights can be gleaned from consideration of non-Western values, such as group self-determination and community involvement as highlighted by Anucha in consideration of new directions for social work (Anucha, 2008). Anucha suggests that individualistic Western values may not be appropriate for other cultural contexts and, I argue, for the inclusion of employees with disabilities in the NPSS. Currently, the one-way flow of ideas and “best” practices from non-disabled educators, scholars and practitioners have often cast people with disabilities as recipients of social services, and non-disabled educators and scholars as the givers of service and knowledge in the field. As argued for the experiences of social workers in developing countries (Anucha, 2008), these assumptions should be challenged to ensure that the experiences of workers with disabilities are visible in the social work arena. The NPSS could learn from the experiences of people with disabilities in coping and managing with scarce resources and dealing with poverty. Thus, the NPSS and people with disabilities can mutually benefit from greater inclusion of employees with disabilities.

Summary and Conclusion

Given their placement between the state and civil society, non-profit service providing organizations are of great consequence for service users as they provide vital services, facilitate social connections and promote a measure of well-being for members of their communities. Organizations A, B and C are also important places of employment for people with disabilities. These organizations are doing well in terms of providing workers with meaningful employment such that workers feel passionate about their work. These organizations were found to be places where people can develop their capacities, build social capital and contribute to their communities. Many employees expressed a strong commitment to social justice and are working directly on issues related to poverty, personal care, social inclusion, well-being and diversity. To an extent, employment in these organizations offered skills development, on-the-job training and mentorship for employees with disabilities. Such activities forged some networks of trust, support and a sense of community with shared values. However, it is also possible for organizations to reproduce individualizing and medical models of disability that limit the subjective experience of inclusion and acceptance. For those who wish to take part in employment, it is important to consider the options available to them and how these may contribute to an increased quality of life.

Mapping the accommodation processes at Organization A, B and C brought into view the field of biomedicine and the Ontario human rights system. Integrating institutional texts into this study extended its scope beyond the observable. For this study, active organizational texts that participants referred to, and were of concern to them, were included with the organization's consent. Higher order texts were identified in the process of examining these texts to gain an understanding of how they mediate the work of employees. In analyzing the social organization

of the accommodation process, what comes into view is a textually-mediated work process, trans-locally organized by the Code. The Code was found to have the capacity to transform the subjectivities of employees embodied experiences into objective criteria for consideration in local decision-making processes within each organization. This text was a medium of power that coordinated organizational processes through an ideological structure for actions according to abstract terms of knowledge and legitimacy. This text and other documents made possible the appearance of the same or similar set of words and images in multiple local sites, however differently they were read or taken up.

Debates about employment and disability continue in the field of critical disability studies. There are a myriad of challenges facing people with disabilities as they pursue their right to citizenship and inclusion via paid employment. This dissertation highlights three organizations that employed people with disabilities in jobs with much responsibility, provided meaningful work, a degree of certainty of continuing employment, satisfactory income and benefits, as well as training and professional development opportunities.

Thus, the nature of employment at these organizations encompassed a range of attributes associated with employment quality that varied from the growing trend of precarious employment in the non-profit sector. Moreover, all three organizations received core government funding. This funding was complemented by a mix of financing from various charities and other foundations. Overall, the non-profit sector in Ontario has seen a decline in core funding and shift toward project-based funding models, often with restrictions on how organizations can spend. The nature of employment in Organizations A, B and C contrasted this experience in some respects, while also reflecting some of the challenges facing most non-profit organizations.

Having more people with disabilities employed in the NPSS could start to reduce disability-related employment disparities. Rather than detract from the work of their colleagues, employees with disabilities can provide continual peer education about what living with a disability is like. Increased representation of employees with disabilities in the workplace might also encourage service providers to consider service users with disabilities as rights-bearing citizens. Greater inclusion of people with disabilities in the NPSS workplace could also help address barriers to service for other diverse minority groups, as well as increased service user satisfaction and choice. Findings from this study suggested that the presence of employees with disabilities in the workplace offered a level of sensitivity training to their peers. As with so many aspects of life, representation is the first step. Applying a disability access and inclusion lens to the operations of non-profit organizations can promote more systematic policy learning and knowledge transfer.

Moreover, this study is not just about disability, it is also about the nature of the labour market and employment. The present study lies at the intersection of particular experiences and generalizing or abstracted forms of social relations that organize a division of labour in society at large. This methodology allows for the research process to reach back from an employee's experience, through co-worker, supervisor or manager, to organization and government policies that relate and coordinate the conditions of the employee's intentions and actions. Drawing from IE the present study offers a procedure for analyzing local work practices, perceived generously, as articulated to and determined by the generalizing relations of economy and ruling apparatus.

Future research could adapt this methodology for consideration of the challenges and opportunities for the employment of people with disabilities in the broader non-profit sector, as well as other geographic locations in Ontario, Canada or internationally. Future research might

also narrow the focus to specific groups of people, including people with specific ethno-racial and/or gender identities. This research might be extended to consider the everyday experiences of people working in organizations with a higher degree of precarious employment.

This study offers a mode in which people with disabilities, researchers and practitioners can find some source components of the oppression they share with others and of different oppressions rooted in the same set of social relations. Organization A, B and C reflect aspects of paradigm change resistance as people with disabilities continue to enter and take part in the workplace. This resistance appeared as co-workers and supervisors struggled against changes to the workplace environment and struggled in their relations with employees with disabilities. The experiences at Organization A, B and C also reflect a generous concept of work that goes beyond the specific tasks of a job. Employees talked about their passion and motivation to work in the NPSS. They also talked about the mental, physical and emotional work of being disabled in their daily lives. Overall, the present study finds that the inclusion of employees with disabilities presents an opportunity to learn from the experience of mis-fitting in the workplace by considering the co-constituting relationship between body and environment.

Ontario non-profit organizations are engaged in many efforts to improve the working lives of people through community organizing and advocacy. To varying degrees, Organization A, B and C are also engaged in efforts to provide inclusive workplaces and positive images around disability and diversity within the NPSS. These organizations, to more or less of an extent, were working to give employees greater control over work processes. They fostered co-operation and collaboration between co-workers while accepting that everyone has needs for accommodation from time to time, thereby resisting the tendency toward individual competition so prominent within a neoliberal frame of work.

At the same time, this dissertation also sheds light on how neoliberalism and the capitalist relations of production have seeped into the work of these organizations. This is visible in aspects of the Code as the governing text of workplace accommodations; which offers limits to the full inclusion and participation of people with disabilities in the workplace. The Code and the OHRC reflect the ongoing pressures to enhance and limit the rights of people with disabilities. This is clear in the current medicalized definition of disability, the ongoing use of medical documentation to stand in for self-identified needs, and the undue hardship clause. It is also clear in the positive promotion of universal design, active involvement of the person with a disability in the development of workplace accommodations and the onus of responsibility on the employer to provide substantial evidence for a claim of undue hardship.

The reading practices and talk among participants at all three organizations oriented them to a future that was favourable to their organization - by accommodating employees to be productive workers. *How* they reached that future varied among the organizations, as illustrated in the diagrams of the social organization of the accommodation process. At a broader level, I argue that the ideological practices of employment provide us with forms of thought and knowledge that constrain employees to treat themselves as objects in the labour market. Specifically, they treat themselves as working productive objects, or commodities, that can be bought and thrown away according to their use value. This dissertation demonstrates an examination of disability that highlights how workers are required to learn to set aside, deny or remove their individual subjective bodily experiences for the sake of employment. People with disabilities have learned to live inside a discourse that is not theirs, and that expresses and describes a landscape in which they are alienated and that preserves that alienation as integral to its practice.

The present study contributes to evolving conceptualizations of disability as the field of critical disability studies moves toward greater consideration of human rights. Using a generous concept of work, this study examines how rights operate in practice, and how the Code can impact the everyday experiences of people with disabilities at work. This study draws attention to the demands on people with disabilities to take responsibility for fitting into a labour market that was not made for their embodied subjectivities. Indeed, the process of taking up the Code can objectify and alienate any one of us from our true selves.

As can be seen in this dissertation, there are pockets, moments and places of opportunity where it is possible to realize this alienation is occurring; and that it is being facilitated, often unknowingly, by people who work to support increased quality of life for individuals. It is here where things can be done differently. It is here where subjectivity can be brought back into daily work processes and give people an opportunity to have control over their lives, even if it is just for a moment.

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Appendices

Appendix A: Introductory Recruitment Script

Dear [participant name],

My name is Alexis Buettgen, I am a PhD Candidate in the Critical Disability Studies program at York University where I am studying inclusive employment in the nonprofit service providing sector of Ontario. As you may already be aware, people with disabilities in Canada are more likely to be unemployed than their peers without disabilities. Inclusive and diverse workplaces can help people with disabilities find meaningful employment and stay at work. However, there is a need for more education, connecting with expertise and learning from best practices. The purpose of this study is to discover how nonprofit service providing organizations are providing employment opportunities for people with disabilities by doing an analysis of work processes and the lived experiences of people with disabilities working in these organizations.

[If Self-Referred] I recently came across [name of organization] in a [report / article] that I read in which you [won an award / were recognized] for your outstanding diversity strategy and inclusive workplace practices. I would be very interested in learning more about how your organization provides these opportunities, and in speaking to employees with disabilities at your organization about their experiences working at [name of organization]. Would you consider supporting my research and connecting me to interested employees at your organization?

[or]

[If Referred by Other Contact] Recently, I was referred to you by [Name] at [Organization], who suggested that you may be willing to share your experiences and knowledge of diversity and inclusive workplace best practices. I would be very interested in learning more about how [name of organization] provides positive employment opportunities, and in speaking to employees with disabilities at your organization about their experiences working at [name of organization]. Would you consider supporting my research and connecting me to interested employees at your organization?

Certainly, there is no obligation to participate, but I sincerely hope you will consider contributing to this project. I have included more information about it in the attached information letter.

Please feel free to get in touch with me if you have any questions, or if you would like to participate. My email is _____. You can also reach me by phone at _____.

Thank you so much for your consideration, and I look forward to hearing from you.

Sincerely,

Alexis Buettgen
PhD Candidate, Critical Disability Studies
York University

Appendix B: Project Information Letter

November 2, 2016

My name is Alexis Buettgen. I am a PhD candidate in the critical disability studies program at York University where I am studying inclusive employment of people with disabilities in the non-profit sector of Ontario. I am writing to you as an exemplar employer of diversity and inclusive workplace practices. I am particularly interested in learning more about how your organization provides employment opportunities for people with disabilities.

As you may already be aware, people with disabilities in Canada are more likely to be unemployed than their peers without disabilities. Inclusive and diverse workplaces can help people with disabilities find meaningful employment and stay at work. However, there is a need for more education, connecting with expertise and learning from best practices. There are many questions about the benefits of employment for people with disabilities, so I am collecting information about how and why the non-profit service providing sector can be a potential site for employment of people with disabilities. I would like to invite you to participate in this research project.

The goals of this project are to increase knowledge and understanding of how the current economic and political environment influences the forms of employment available to persons with disabilities in the non-profit service providing sector in Southern Ontario. To achieve these goals, I will be exploring how several non-profit service providing organizations are providing inclusive employment opportunities by examining institutional documents and policies, the perspectives of organization staff responsible for such practices and the lived experiences of people with disabilities working in these organizations.

This research will be part of my PhD dissertation research, which is a required part of my PhD work. It is an individual student research project that is expected to make a new and creative contribution to the field of disability studies. Findings from this study will be presented at academic and community forums and will be described in the final report to York University. This research is being supervised by a committee of professors including Dr. Marcia Rioux, Distinguished Research Professor in the Critical Disability Studies program at York University; Dr. Dennis Raphael, Professor and Graduate Program Director in Health Policy and Equity at York University, Dr. Emile Tompa, Senior Scientist at Institute for Work & Health and Co-Director of the Centre for Research on Work Disability Policy; as well as Dr. Thomas Klassen, Professor in the Department of Political Science at York University.

I hope you will consider participating in this project and sharing your experiences and ideas. If you have any questions, please do not hesitate to contact me by email (_____) or by phone at _____. Thank you for your consideration, and I look forward to hearing from you.

Alexis Buettgen

Appendix C: Invitation to Participate

INVITATION TO PARTICIPATE

From the standpoint of people with disabilities:
Employment in the nonprofit sector

A student researcher from York University is inviting employees with disabilities to **share your voice** about employment in the nonprofit sector.

Why should you participate?

- To talk about **your experience** working in the nonprofit sector and your current work at [*insert name of organization*]
- To **contribute ideas** about what can be done to help more people with disabilities get the jobs that they want
- All information you provide will be kept strictly confidential to the researcher ([*insert name of organization*] will NOT know what you said)



How can you participate?

Easy. An individual interview (1 hour) will be held at a time and place that is convenient for you.

If you are interested please call Alexis at _____ or email her at _____ and she will tell you more about the project and schedule a date and time for meeting with you.

Appendix D: Informed Consent Form

INFORMED CONSENT FORM

for the study called

**From the standpoint of people with disabilities:
An institutional analysis of work in the nonprofit sector**

This information is provided so that you can make a decision about whether or not you want to participate in this study. I am giving you a lot of information because I want you to be able to make the decision that is best for you.

Researchers:

The study is being conducted by:

Alexis Buettgen (principal investigator)
PhD Candidate, Critical Disability Studies, York University
Toronto, Ontario, Canada
Contact: _____

The study is being supervised by:

Dr. Marcia Rioux (primary supervisor)
Distinguished Research Professor
School of Health Policy and Management (Graduate Programs in Critical Disability Studies and Health Equity), York University
Toronto, Ontario, Canada

Why am I doing this study?

Employment for people with disabilities can be a challenge. There are many questions about the benefits of employment for people with disabilities in various sectors of the labour market, so I am collecting information about how and why the nonprofit service providing sector can be a potential site for employment of people with disabilities. I want to increase knowledge and understanding of how the current economic and political environment influences the forms of employment available to persons with disabilities in this sector in Southern Ontario. I will be exploring how nonprofit service providing organizations are providing inclusive employment opportunities by examining institutional documents and policies, the perspectives of organization staff responsible for such practices and the lived experiences of people with disabilities working in these organizations.

This research will be part of my PhD dissertation research, which means I want to learn a lot about this topic. A dissertation is a required part of my PhD work. It is an individual student research project that is expected to make a new and creative contribution to the field of disability studies. A dissertation is an extended piece of work, usually divided into chapters, and contains a very detailed examination of a subject or topic.

What will happen in this study and what will you be asked to do?

If you agree to participate in this interview I will ask you about your experience working in the nonprofit sector and to tell me about your current work in this organization. I am particularly interested in how you do what you do at work and any challenges that you may experience. The interview will take about one hour.

During the interview I will take notes but would also like to audio record the interview so that I can be sure to get all the information you provide accurately. If you give consent to participate in this discussion, you will also be giving consent to be audio-taped. I very much appreciate your time and want to be able to listen carefully and use your expertise and knowledge to develop my research so that it will be beneficial to the disability community and nonprofit sector.

The information I collect from you will be studied by me, with support from my supervisors, to help complete my dissertation project. When I complete my dissertation, I will write a long report. The names of all participants will not be mentioned in the report unless they have given me clear permission to do so. I hope to make this report available to organizations of people with disabilities, participants who participated in my research, and other individuals and groups working to improve the lives of people with disabilities as well as strengthen the nonprofit sector. Your name will not be mentioned in any reports without your clear permission.

Are there possible negative things that might happen if you participate in the study?

There are no negative things that will happen to you by participating in this study. However, you may feel uncomfortable when you start thinking about some of the questions that you are asked. For example, you may share information about your work that could be perceived as negative. If that happens, you can take a break from the interview or, if you want, you can stop the interview completely. If you want to continue to talk about these things, that's fine, too. I will make sure the interview is confidential to help minimize any negative impacts of the interview for you.

Are there good things that might happen if you participate in this study?

You may or may not receive any direct benefit from participation. You might find that it makes you feel glad to talk about some of your experiences.

Other good things that might happen may be that individuals and groups working to improve the lives of people with disabilities learn from reports that are made from this study and take steps to improve the lives of people with disabilities.

Can you decide if you want to participate in the study?

You are free to choose to participate or not to participate in the study and you may choose to stop participating at any time. Your participation is completely voluntary. Your decision not to participate in the study will not influence your relationship with your employer or the nature of your relationship with researchers or with staff of York University either now or in the future.

Can you stop participating if you don't want to continue participating?

You may stop participating in the study at any time, for any reason, if you so decide. Your decision to stop participating, or to refuse to answer particular questions, will not affect your relationship with your employer, the researchers, York University, or any other group associated with this project. In the event that you withdraw from the study, all associated data collected will be immediately destroyed wherever possible.

Will your information be kept confidential?

The information you provide will be kept confidential to the fullest extent possibly by law. Your name will not appear in any report or publication of the research. Original copies of the audio recordings will be destroyed after I have written out all the words, and transcripts will be destroyed, by deletion from the computer and hard drive after 2 years.

Written and audio recordings of our conversation will be securely stored in a password protected computer. I will be the only one who has access to these recordings.

I will not put your name in any reports. I may want to write something that you said, word for word, in a report because you have made an important point. This is called a "direct quote". I will only use your quote, words exactly like you said them, if you give me permission by participating in this interview, and then will not use your name, gender, age or disability so that other people can know what you said but won't know who said it. I may mention the type of work you do so that I can see if what people said in different types of work makes a difference in their perspectives on disability and employment in the nonprofit sector. So, if you give consent to participate in this interview, you will also be giving consent to use your quotes.

If you have questions about the study

If you have questions about the research in general or about your own role in the study, please feel free to contact me (Alexis Buettgen) by email at _____ or by phone at _____. You may also contact my supervisor (Dr. Marcia Rioux) by email at _____ or by phone at _____.

The Critical Disability Studies graduate program office where I attend school can also be contacted if you have any questions. This office can be reached by email at _____ or by phone at _____.

This research has been reviewed and approved by the Human Participants Review Sub-Committee, York University's Ethics Review Board and conforms to the standards of the Canadian Tri-Council Research Ethics guidelines. If you have any questions about this process, or about your rights as a participant in the study, you may contact the Senior Manager and Policy Advisor for the Office of Research Ethics, _____.

Legal Rights and Signatures:

I _____, consent to participate in a study on disability and employment conducted by Alexis Buettgen. I have understood the nature of this project and wish to participate. I am not waiving any of my legal rights by signing this form. My signature below indicates my consent.

Signature: _____

Date: _____

Participant name:

Signature: _____

Date: _____

Principal Investigator:

Appendix E: Interview Guide for Employees with Disabilities

1. Can you tell me how you came to be a *[insert job title]*?
 - *Probes for recruitment and onboarding processes, other work experiences in relation to current work:* How did you happen to work at this organization? How long have you worked at this organization? How long have you worked in social services? Have you had other positions within this organization? Have you had other jobs in social services?
2. What is it like to do this job?
 - *Probes for training and control over work processes:* How did you learn to do your job? What do you like about your job? What do you not like? Tell me about a typical day at work for you.
 - *Probes for social exclusion:* What are your co-workers like? What is your boss like? Do you have friends at work? Who do you have lunch with? Who do you talk to everyday? Do you go to meetings? Who else goes to those meetings and what are their positions in the organization?
 - *Probes for precarious work:* Do you work full-time, part-time, temporary or on contract? Are you satisfied with your hours/schedule and rate of pay? Do you receive benefits, pension, sick pay, vacation pay, parental leave?
3. How does your disability affect you at work?
 - *Probes for disclosure process.* What is the nature of your disability? Have you told anyone at work that you have a disability? Do your co-workers know you have a disability?
 - *Probes for workplace accommodation processes:* Have you ever requested an accommodation or needed assistance because of your disability? Tell me about that experience? What went well? What did not go well? Who did you speak to? Who helped you? Did you have to complete any paperwork or forms?
4. What is your ideal job?
 - *Probe for details and goals within and beyond the organization and social services. Listen for challenges reaching goals* (e.g. If this is your ideal job, why so? If not, why are you not in your ideal job? What are the challenges or barriers that prevent you from working your ideal job?)
5. Is there anything else you would like to share with me today about your experiences working here?

Thank you for your time.

Appendix F: Invitation to Participate (for other support staff)

Dear [participant name],

My name is Alexis Buettgen, I am a PhD Candidate in the Critical Disability Studies program at York University where I am studying inclusive employment in the non-profit service providing sector of Ontario. As you may already be aware, people with disabilities in Canada are more likely to be unemployed than their peers without disabilities. Inclusive and diverse workplaces can help people with disabilities find meaningful employment and stay at work. However, there is a need for more education, connecting with expertise and learning from best practices. There are many questions about the benefits of employment for people with disabilities, so I am collecting information about how and why the non-profit service providing sector can be a potential site for employment of people with disabilities.

[If Referred by Other Contact] Recently, I was referred to you as someone who may be willing to discuss your work at [name of organization]. I would be very interested in speaking to you about your experiences, thoughts and ideas about your work. Would you consider giving a confidential one-on-one interview about your experiences for inclusion in my study?

Certainly, there is no obligation to participate, but I sincerely hope you will consider contributing to this project. I have included more information about it in the attached information letter.

Please feel free to get in touch with me if you have any questions, or if you would like to participate. My email is _____. You can also reach me by phone at _____.

Thank you so much for your consideration, and I look forward to hearing from you.

Sincerely,

Alexis Buettgen
PhD Candidate, Critical Disability Studies
York University
Toronto ON

Appendix G: Interview Guide for Other Support Staff

Thank you for agreeing to participate in an interview with me. I have a set of 13 questions to ask. The first set of questions is about your organization in general and the second set is about your experiences employing people with disabilities. Do you have any questions before we begin?

1. How many employees does your organization employ in total?
 - How many employees are full time? Part time? Casual? Temporary? On fixed term contract?
 - How many management and senior leadership positions are there in your organization? How many members are on the Board of Directors?
2. Does your organization provide health benefits?
 - If yes, are these benefits provided to all employees and contract staff?
 - If yes, what is the nature of these benefits?
 - What are the challenges for benefits provision?
3. Does your organization provide a pension plan?
 - If yes, does this plan apply to all employees and contract staff?
 - If yes, what is the nature of this plan?
 - What are the challenges for pension provision?
4. Does your organization provide paid holiday, parental and sick leave?
 - If yes, does this apply to all employees and contract staff?
 - If yes, what is the nature and frequency of this leave time?
 - What are the challenges for the provision of holiday, parental and sick leave?
5. Does your organization promote living wage policies or other standards that promote income fairness within the workplace?
 - If yes, what is the nature of these policies or standards?
 - How do you determine staff wages? What are the challenges for the provision of living wages or income fairness?
6. Can you tell me about any training and professional development opportunities available at your organization? (*e.g. nature of training and frequency*)
 - Are these opportunities available to all employees and contract staff?

The next set of questions are about your experiences employing people with disabilities.

7. How many employees who identify with a disability are [have been] employed in your organization?
 - What disability do they have? What area/program/department do they work in? What jobs and responsibilities do they have?

- How many employees with disabilities are full time? Part time? Casual? Temporary? On fixed term contract?
 - How many employees with disabilities are in management and senior leadership positions?
 - How many members with disabilities are on the Board of Directors?
8. Are there positions in your organization that you DO NOT think would be appropriate for a person with a disability? Why so?
9. Tell me about your experience working with employees with disabilities.
- What is your role in supporting employees with disabilities? How do you support employees with disabilities? Without using any names, can you give me an example of how you worked with an employee with a disability from the time that they applied for the job until now?
 - *Probe for social exclusion:* How do other employees react to co-working with people with disabilities? Have any issues come up that surprised you and how were those issues resolved?
 - Who else do you work with to support employees with disabilities? How did you learn to work with employees with disabilities? Are there any policies or procedures that you follow?
10. How do you accommodate or assist employees with disabilities?
- *Probe for disclosure and accommodation processes:* How do you encourage employees or candidates to disclose their disability? Examples, details of process of accommodation development, implementation and review
11. What are the benefits of employing people with disabilities?
- *Probes for conceptualization and images of disability:* For your organization? For individual staff and supervisors?
 - *Probe for commitment to inclusion:* Do you have a workplace diversity strategy? Are you meeting it? If not, why not? Do you have a policy that mandates employment of people with disabilities? Can you tell me about that policy and its impacts in your organization? Are you planning on hiring more people with disabilities and in what positions?
12. What are the internal and external gaps in support or unfunded needs for employing people with disabilities?
- Why and how is this a challenge for your organization? For individual staff with disabilities, co-workers and supervisors?
13. Is there anything else you would like to share with me today about your experiences working with employees with disabilities?

Thank you for your time.